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EXHIBIT A: APPLICATION FOR FINANCING

A Development Finance Division (DFD) Financing Application – Form 202 – must be submitted which reflects all aspects of the project, including estimated development and operating budgets and pro forma. The application for funding must include all applicable exhibits and attachments as described in this package. Four copies of the application, including all applicable exhibits and attachments, must be sent in separate three-ring notebook binders with each exhibit tabbed.

ATTACHMENTS

- ☐ Form 202 – DFD Financing Application (form attached – executed hardcopy mandatory)



**DEVELOPMENT FINANCE DIVISION
FINANCING APPLICATION**

**FORM
202**

Application Cover Page

Organization Name	<div></div>
Project Title	<div></div>

I certify that I am authorized to obligate _____ to apply for funding
(name of organization)

from the District of Columbia Department of Housing and Community Development. Furthermore,
I certify that all information contained herein is accurate to the best of my knowledge.

<div></div> Authorized Organization Official	<div></div> Date
<div></div> Print Name	<div></div> Title



DEVELOPMENT FINANCE DIVISION APPLICATION

FINANCING**FORM
202**

GENERAL INFORMATION

Stage of Processing (*mark the appropriate box*)☐ Preliminary Application for Funding☐ Final Application for Funding**Funding Applied For**

Housing Production Trust Fund

Community Development Block Grant (CDBG)

HOME Investment Partnership Program (HOME)

Low-Income Housing Tax Credit (LIHTC)

Other: _____

\$	-
\$	-
\$	-
\$	-
\$	-

Agency ID (Internal Use)

PROJECT NAME AND LOCATION**Project Name**

Street Address _____

If no street address indicate lot _____

City and State

Washington, DC

Ward _____

Parcel _____

Zip Code _____

Census Tract _____

Tax Map _____

APPLICANT INFORMATION**Applicant Name**

Mailing Address _____

Contact _____

Title _____

Phone () -

Fax () -

E-mail _____

OWNERSHIP ENTITY INFORMATION**Owner/Borrower Name**

Taxpayer ID _____

Type of Ownership (*mark one box only*)☐ Individual☐ Corporation☐ General Partnership☐ Limited Partnership☐ Limited Liability Corporation☐ Other: _____**Principals** (*complete information for corporations and controlling general partners*)

Name	Taxpayer ID	Ownership Interest	Nonprofit
	-	%	<input type="checkbox"/> Yes <input type="checkbox"/> No
	-	%	<input type="checkbox"/> Yes <input type="checkbox"/> No
	-	%	<input type="checkbox"/> Yes <input type="checkbox"/> No

PROJECT INFORMATION

Amenities (mark all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Cable Access | <input type="checkbox"/> Laundry Facilities |
| <input type="checkbox"/> Transportation Services | <input type="checkbox"/> Washer/Dryer Hook-up |
| <input type="checkbox"/> Carpet | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Dishwasher | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Disposal | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Microwave | <input type="checkbox"/> Other: _____ |

Type of Project (mark all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Acquisition of Existing Building(s) | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Substantial Rehabilitation (over \$30,000 per unit) | <input type="checkbox"/> Community/Commercial Facility |
| <input type="checkbox"/> Moderate Rehabilitation (under \$30,000 per unit) | <input type="checkbox"/> Home Ownership Project |

Existing Building Information (complete all that apply)

Percentage currently occupied

Project includes historic rehabilitation?

Project involves the permanent relocation of tenants?

Project involves the temporary relocation of tenants?

Year the building was built

	%
<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

Number of Residential Buildings

Garden (walk-up)	_____
Townhouse	_____
Detached	_____
Semi-detached	_____
Elevator (< 5 floors)	_____
Mid-rise (5-10 floors)	_____
High-rise (> 10 floors)	_____
Total Buildings	<div style="border: 1px solid black; width: 100px; height: 20px;"></div>

Total Land Area (acres)

Total Building Area (gross square footage)

Residential Units: Low-Income

Residential Units: Market

Nonresidential Units

Common Space:

circulation (hallways, stairways etc.)

recreation:

other:

Total Gross Square Footage

Type of Occupancy (show number of units)

Families	_____
Elderly	_____
Commercial	_____
Special Needs	_____
Total Units	<div style="border: 1px solid black; width: 100px; height: 20px;"></div>

Special Needs Met (show number of units)

Licensed assisted living facilities.

Homeless shelters or transitional housing for the homeless.

Housing targeting people with disabilities (barrier-free housing).

Other: _____

Total Special Needs Units

Preservation of affordable units with expiring federal subsidies

☐ Yes ☐ No

Units to be occupied by households with income 30% or less of the area median
 Units to be occupied by households with income at 31-40% of the area median
 Units to be occupied by households with income at 41-50% of the area median
 Units to be occupied by households with income at 51-60% of the area median
 Units to be occupied by households with income at 61-80% of the area median
 Units to be occupied by households with income at 81-100% of the area median
 Units that will be unrestricted (>100% of area median)
 Total Units

[illegible]

What is the total number of years for the units to be restricted?

Activity	Date (MM/YYYY)
Site Control	
Sponsor has site control? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date site control expires	/
Date site will be acquired by the ownership entity	/
Zoning Status	
Current Zoning Classification _____	
Describe Current Classification	

Zoning change, variance or waiver required? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date application for zoning change filed	/
Date of final hearing on zoning change	/
Date of final approval of zoning change	/
Date financing applications filed with other lenders (<i>public and private</i>)	/
Date of financing reservation from the Department (<i>45 days from application deadline</i>)	/
Date firm commitments received from other lenders (<i>public and private</i>)	/
Date final plans and specifications completed	/
Date 10% of project costs incurred (<i>no later than 5 months from carryover allocation</i>)	/
Date of construction loan closing (all sources)	/
Date construction or rehabilitation begins (<i>total construction period will be _____ months</i>)	/
Date 50% of construction or rehabilitation completed	/
Date of substantial completion of construction or rehabilitation	/
Date first certificate of occupancy received	/
Date final certificate of occupancy received	/
Date sustaining occupancy achieved	/
Date of permanent loan closing	/

EXHIBIT B: SITE CONTROL

Applicants must have obtained sufficient site control to allow projects to move forward if they receive a reservation of funds. Generally, this should be for at least 180 days from the application deadline date (including extension options) with an option to extend the control for another 180 days. Acceptable evidence of site control includes deeds, contracts of sale, leases with purchase option or other forms acceptable to the Department.

ATTACHMENTS

☐ Evidence of Site Control

EXHIBIT C: UTILITY AVAILABILITY

Provide evidence that public water and sewer, electric, gas and telephone services are at project sites or will be available during the construction or rehabilitation period. Acceptable evidence of utility availability may include a letter from the development team's civil engineer, the utility company providing the service, a responsible local official, or, for existing buildings, copies of recent utility bills. If any of the utility services are not applicable for the project, provide a description indicating which service is not applicable and the reason.

ATTACHMENTS

- ☐ Evidence of Public Water
- ☐ Evidence of Public Sewer
- ☐ Evidence of Electric Service
- ☐ Evidence of Gas Service
- ☐ Evidence of Telephone Service
- ☐ Copy of Certificate of Occupancy [if Building(s) currently occupied]

EXHIBIT D: ZONING

Properties should be properly zoned for their intended use. A letter from the Zoning Commission and/or Board of Zoning Adjustment indicating that the project is properly zoned for its intended use should be included in this exhibit. If a zoning change, variance or exception is required, sponsors must provide documentation illustrating the planning and zoning process and identifying a contact person familiar with the project and responsible for the approval process. Sponsors must also provide a detailed schedule for obtaining the required approvals.

ATTACHMENTS

- ☐ Evidence of Zoning with Local Contact Information
- ☐ Description of Change, Variance or Exception
- ☐ Detailed Schedule for Obtaining Required Approvals

EXHIBIT E: GEOGRAPHIC TARGETING

If an applicant seeks points for geographic targeting under the terms of the Request for Proposals, the applicant must provide documentation showing that the project will be located in a strategic neighborhood investment area, Neighborhood Revitalization Strategy Areas, Enterprise Zone or Enterprise Community.

ATTACHMENTS

- ☐ Evidence of location in a strategic neighborhood investment area, Neighborhood Revitalization Strategic Area, Enterprise Zone or Enterprise Community.

EXHIBIT F: SITE MAP AND PICTURES

Include a site map clearly showing area amenities (such as schools, parks, shopping and public transportation); a narrative description of directions to the site; and color photographs of the site, any existing buildings, and the adjacent properties. Each picture should contain a description of the location of the photographed site relative to the subject site and a description of the surrounding property's use.

ATTACHMENTS

- ☐ Site Map
- ☐ Direction to Project Site
- ☐ Photographs of Project Site and Surroundings

EXHIBIT G: ENVIRONMENTAL ASSESSMENT

Each project must comply with applicable requirements of local and federal environmental laws and regulations. An initial due diligence evaluation of the site for environmental issues is required. This evaluation includes a review of foundation conditions, man-made hazards, storm water runoff, underground storage tanks, and potential for lead-based paint, radon gas, PCBs or asbestos in existing buildings.

You may use the attached Environmental Due Diligence Checklist for the preliminary evaluation of the site. If a U.S. Department of Housing and Urban Development environmental clearance has already been performed, you may submit it with the application instead of the Environmental Due Diligence Checklist.

ATTACHMENTS

- ☐ Environmental Due Diligence Checklist (form attached)

ENVIRONMENTAL DUE DILIGENCE CHECKLIST

Project: _____

Date: _____

Investigator: _____

Percentage of Living Units Reviewed: _____%

Percentage of Site Actually Walked And Observed: _____%

Environmental Risks	Observed	Possible	Not Observed
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asbestos Containing Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lead Paint	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Storage Tanks, Lines and Vents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Above Ground Chemical Storage or Products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visible Soil Discoloration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Buried Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB Transformers or Light Ballast	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Water Discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sensitive Adjacent Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential Contaminated Adjacent Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air Emissions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetland Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary Sewer Failure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
On-lot Septic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private Water Supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Excessive Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foul Odors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
French Drain or Disposal Pit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unsafe Material Management Practices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pipe Leaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Geologic Features	Observed	Not Observed
Streams	<input type="checkbox"/>	<input type="checkbox"/>
Ponds	<input type="checkbox"/>	<input type="checkbox"/>
Sink Holes	<input type="checkbox"/>	<input type="checkbox"/>
Rock Outcrops	<input type="checkbox"/>	<input type="checkbox"/>
Springs	<input type="checkbox"/>	<input type="checkbox"/>
Steep Slopes	<input type="checkbox"/>	<input type="checkbox"/>
Poor Drainage	<input type="checkbox"/>	<input type="checkbox"/>

EXHIBIT G-1: LEAD-BASED PAINT

This Exhibit addresses two areas related to lead-based paint (LBP): Disclosure, and information requested below on LBP presence and testing. Requirements of the Disclosure Rule have been in effect since 1996 - <http://www.hud.gov/offices/lead/disclosure/index.cfm>. This requires that landlords and/or property managers disclose any known lead-based paint and lead-based paint hazards when renting a unit. A sample disclosure form is contained in Appendix B of the Lead-Safe Housing Addendum in the RFP Reference Guidebook. As part of disclosure, the tenants must be given a copy of the pamphlet "Protect Your Family from Lead in Your Home" - <http://www.hud.gov/offices/lead/>.

ATTACHMENTS

- ☐ Evidence of Disclosure (if the presence of lead is known to exist)
- ☐ Completed Requested information below

REQUESTED INFORMATION

1. How old is the property? _____
2. Is there a known presence of Lead-Based Paint (LBP)? Y/N____
3. If the presence of lead is known, has it been disclosed to the tenants if the property was occupied at the time the presence of lead was determined? Y/N____
4. If disclosure has taken place, provide evidence of disclosure.
5. How was the presence of LBP determined? _____

3. What documentation exists that identifies the presence of LBP (e.g., Phase 1 environmental, lead survey, lead inspection, etc.? _____

4. Has a risk assessment been performed? Y/N____
If yes, please provide a copy with proposal.
5. Are LBP hazards present (peeling, chipped or cracked LBP)? Y/N____
6. Is the building occupied? Y/N____
7. Are there children under 6 residing at the property? Y/N____
8. Has there been previous testing of children residing at the property? Y/N

EXHIBIT H: OPERATING STATEMENTS

For existing and occupied projects, provide audited financial statements for the prior three fiscal years of project operations. If audited statements are not available, three fiscal years of un-audited financial statements and three corresponding years of certified federal income tax returns of the project should be submitted.

ATTACHMENTS

- ☐ Audited Financial Statements
- ☐ Un-Audited Financial Statements (only if audited financial statements are not available); or
- ☐ Certified Federal Income Tax Returns (only if audited financial statements not available)

- ☐ **Not Applicable.** No information is required for projects that do not exist or are not occupied at the time of application.

EXHIBIT I: RELOCATION AND ANTI-DISPLACEMENT STRATEGY

For existing and occupied buildings, the applicant must submit a draft of the Relocation and Anti-Displacement Strategy for projects that result in the temporary or permanent displacement of current occupants. The Relocation and Anti-Displacement Strategy (due with the Preliminary Application) provides the groundwork for the Relocation and Anti-Displacement Plan (due prior to Initial Closing). Instances where a Strategy and Plan are required include the following, regardless of funding source:

- Tenants will be required to move to facilitate rehabilitation of the building;
- Demolition of existing dwelling units or buildings which are occupied at the time of acquisition or site control; or
- Tenants will be displaced because the proposed rents are not affordable.

If the project will result in the relocation of any tenants (i.e. households or businesses), the Department requires that the applicant will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (42 U.S.C. 4601 also known as “URA”) and §104(d) of the Housing and Community Development Act of 1974 [42 U.S.C. §5304(d)] **if HOME or CDBG funds are used**, or the local relocation regulation found at Title 10, District Code of Municipal Regulations (DCMR) Chapter 22 **if HPTF is used**, regarding resident notice and compensation.

Applicants should make themselves familiar with the requirements of URA, §104(d) or 10 DCMR 22, as applicable, including notices from both the purchaser and seller to residents that may apply to their project:

- Tenant notices required before submitting an application for financing. A suggested form of General Information Notification for all current tenants in the project (whether temporarily relocated or not) is provided. This notification is required for all projects with the Final Application.
- Other notices following the General Information Notification.
- Seller notices required before executing a sales contract indicating that the sale is voluntary.

The relocation and anti-displacement strategy must outline the procedures the developer will implement to temporarily and/or permanently relocate tenants during the rehabilitation. The strategy should also estimate all costs and expenses that will be paid by the developer or reimbursed to tenants and the source of funds to cover these relocation costs. In addition, applicants should provide a copy of any notification letter sent to current residents, evidence of the manner the notice was delivered (for example, personally served or certified mail) and a list of current tenants, which includes their name, household size and income level (if available).

ATTACHMENTS

With Preliminary Application:

- ☐ Draft Relocation Strategy (see attached Guidelines) – with Preliminary application
- ☐ Relocation Budget – with Preliminary Application

After Preliminary Application:

- ☐ Tenant General Information Notification (form attached)
- ☐ Seller Notification
- ☐ Evidence of Delivery Method of Notifications
- ☐ List of Current Residents

- ☐ **Not Applicable.** No information is required for projects that are not existing or not occupied at the time of application.

FORM OF TENANT NOTIFICATION

[Date]

[Name]
[Address]

Dear [Name]:

The [Name of Applicant] is interested in buying the building you live in at [Building Address]. The [Name of Applicant] plans to apply for a loan or grant to rehabilitate the building from the District of Columbia Department of Housing and Community Development.

If the loan or grant is provided and the building is rehabilitated, you will not be displaced. Therefore, we urge you not to move anywhere at this time. If you do choose to move, you will not receive any money to help you relocate.

If a loan or grant is provided, you will be able to rent your present apartment (or another suitable, decent, safe and sanitary apartment in the same building) when the rehabilitation is done. Of course, you must comply with standard lease terms and conditions. After the rehabilitation, your rent, including the estimated average monthly utility costs, will not be more than:

- Your current rent and average utility costs, or
- 30% of your average monthly gross household income.

If you must move temporarily so that the rehabilitation can be completed, the owner will find another apartment for you, and will pay for all reasonable extra expenses, including all moving costs and any increase in rent and utility costs.

Again, we urge you not to move. If the funding is approved, you can be sure that we will make every effort to accommodate your needs. If federal assistance would be involved, you would be protected by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

This letter is important and you should keep a copy of it. You will be contacted soon with more information. In the meantime, if you have any questions about our plans, please contact [Name of Representative], [Title of Representative], at [Telephone Number], [Address].

Sincerely,
[Signature]
[Name]
[Title]

GUIDELINES FOR DEVELOPING A RELOCATION AND ANTI-DISPLACEMENT STRATEGY

A relocation and anti-displacement strategy is required for projects that result in the temporary or permanent displacement of current occupants of the building. The strategy must outline the procedures the developer will implement to relocate tenants during the rehabilitation. The strategy should also identify all costs and expenses that will be paid by the developer or reimbursed to tenants and the source of funds to cover these relocation costs.

GENERAL INFORMATION

Provide information on the existing tenants in the project, the scope of relocation activities and interim rent increases.

1. Who will be responsible for the carrying out the relocation and anti-displacement strategy?

2. What are the household sizes, family composition (for example, individual, family, elderly) and income levels of the existing tenants?

3. How long are tenants likely to be temporarily displaced?

4. How many ineligible tenants are likely to be permanently displaced?

5. How will the amount of rent increases be determined from the period of application to loan closing (rent increases may not exceed 10% per year without the Department's approval)?

TENANT NOTIFICATION

When tenants will be permanently or temporarily relocated, discuss the procedures to notify tenants at various stages in the process.

6. What are the procedures that have or will be used to initially notify tenants of the proposed rehabilitation of the project (including the type of notifications and the timing)?

7. What procedures will be used to notify tenants of the proposed rent levels after the completion of the rehabilitation (including the type of notifications and the timing)?

8. What are the procedures that will be used to notify tenants of their options concerning permanent or temporary replacement housing and what assistance is available to them (including the type of notifications and the timing)?

9. What are the procedures for notifying tenants that they will be relocated either permanently or temporarily (notifications must be in writing and personally served or sent by certified mail within 90 days of relocation)?

10. What procedures will be in place to document notifications to tenants at all stages of processing and rehabilitation?

REPLACEMENT HOUSING OPTIONS

Address the procedures that will be used to relocate tenants that will be permanently displaced and the process for identifying options for tenants for reasonable replacement housing.

11. How will options for reasonable replacement housing be determined considering factors such as affordability, proximity to the project, desirability of the neighborhood and desirability of the units?

12. If acceptable replacement housing is not available, what is the amount of payment that will be provided to tenants to account for increased housing costs?

TEMPORARY HOUSING OPTIONS

Address the procedures that will be used to relocate tenants that will be temporarily displaced and the process for identifying options for tenants for reasonable temporary housing.

13. How will options for reasonable temporary housing be determined considering factors such as affordability, proximity to the project, desirability of the neighborhood and desirability of the units?

14. If acceptable temporary housing is not available, what is the amount of payment that will be provided to tenants to account for increased housing costs?

15. How will tenant moves to and from the project or between units within the project be coordinated?

FINANCIAL REIMBURSEMENT

Outline the costs that will be reimbursed to tenants that are displaced.

16. What procedures will be used to reimburse tenants for moving expenses to and from replacement and what is the maximum reimbursement per unit?

17. What procedures will be used to reimburse tenants for increased housing costs incurred during the temporary relocation?

COMMUNICATION AND ASSISTANCE

Describe the access tenants will have to project staff and other assistance that will be provided to ease the transition.

- 18.** When will tenants have the opportunity to meet personally with the resident manager to discuss questions and concerns about the relocation process?

- 19.** What advisory services or counseling will be provided to minimize the hardships in adjusting to required permanent or temporary relocation?

- 20.** If tenants feel that they have not received proper relocation payments or opportunities to relocate to acceptable replacement housing, what process will they have to appeal?

EXHIBIT J: CONTRACT AFFIDAVIT

Members of the development team must not be debarred, suspended or voluntarily excluded from participation in any federal or District program. Members of the development team are individuals or organizations, including officers and directors of corporate members of the team, general partners of partnership members, and members of limited liability company members, that are involved in the development of the project in any of the following roles:

- Applicant
- Developer
- Guarantor
- Owner (including any ownership interest other than limited partners)
- Architect
- General Contractor
- Management Agent
- Consultant

All members of the development team must certify on the required form that, among other things, they are not debarred from participation in any federal program nor have any unresolved default or noncompliance issues with the District of Columbia.

ATTACHMENTS

- ☐ Contract Affidavit (form attached)

FORM OF CONTRACT AFFIDAVIT

AUTHORIZED REPRESENTATIVE

I HEREBY AFFIRM THAT I am the [Title of Representative] and the duly authorized representative of [Name of Organization] and that I possess the legal authority to make this Affidavit on behalf of myself and the organization for which I am acting.

CERTIFICATION OF CORPORATION REGISTRATION AND TAX PAYMENT

I FURTHER AFFIRM THAT the organization named above is a [Domestic or Foreign] corporation duly registered in accordance with the laws of the District of Columbia and is in good standing. The name and address of its resident agent is:

[Name of Organization]
[Address of Organization]
[if not a corporation, state so]

I FURTHER AFFIRM THAT, except as validly contested, the organization has paid, or will have paid all income and withholding taxes due to the District of Columbia prior to execution of any funding agreement.

AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies has been convicted of, or has had probation before judgment imposed, or has pleaded nolo contendere to a charge of bribery, attempted bribery, or conspiracy to bribe in violation of any District of Columbia or federal law.

AFFIRMATION REGARDING OTHER CONVICTIONS

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies has been convicted of a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; or admitted in writing or under oath, during the course of an official investigation or other proceeding, acts or omissions that would constitute grounds for conviction or liability under any law or statute described above.

AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies, has ever been suspended or debarred (including being issued a limited denial of participation) by any public entity.

AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

I FURTHER AFFIRM THAT (a) the organization was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment; and (b) the organization is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred organization.

SUBCONTRACT AFFIRMATION

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, has knowingly entered into a contract with a public body under which a person debarred or suspended will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

ACKNOWLEDGMENT

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the District of Columbia Department of Housing and Community Development and may be distributed to units of (a) the District of Columbia government; (b) other states; and (c) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the District of Columbia, both criminal and civil, and that nothing in this Affidavit or any agreement resulting from the submission of this proposal shall be construed to supersede, amend, modify, or waive, on behalf of the District of Columbia, or any unit of the District of Columbia having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of the District of Columbia with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above organization with respect to (a) this Affidavit, (b) the contract, and (c) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

WITNESS

[NAME OF ORGANIZATION]

[Signature of Witness]

[Name of Witness] (date)

[Signature of Representative]

[Name of Representative] (date)

[Title of Representative]

EXHIBIT K: DEVELOPER EXPERIENCE

Staff will evaluate the developer based on its record of accomplishment with projects that are similar to the proposed project. Information must be submitted for each of the following members of the development team: corporate general partners of the owner/mortgagor (including non-profits); individual general partners of the owner/mortgagor; and development consultants.

A Form 203—Developer’s Qualifications that addresses the experience and qualifications of the team member must be submitted along with the supporting information listed below. This should contain information on the members’ experience with other projects of similar type, scale and complexity and in a similar capacity..

- Resumes for each principal and affiliate of the development entity that will have responsibility for or involvement in the project
- Development Team Member Current Workload (form attached)
- Current financial statements of the development entity
- At least three business or professional references

ATTACHMENTS

- ☐ Form 203 — A. Developer’s Qualifications (form attached)
B. Development Team Member Current Workload
- ☐ Resumes
- ☐ Financial Statements
- ☐ References

DEVELOPER'S QUALIFICATIONS

FORM**203**

Principal Office of Organization

Name of Organization _____

Mailing Address _____

Contact _____

Title _____

Phone () -

Fax () -

E-mail _____

Type of Organization *(mark only one box)*

☐ Individual☐ General Partnership☐ Corporation☐ Limited Partnership☐ Other: _____☐ Limited Liability CorporationYear Organized _____ *(not applicable to individuals)*

Is the entity organized under the laws of the District of Columbia? If no, indicate State of organization.

☐ Yes ☐ No

Is the entity qualified to do business in the District of Columbia? If no, explain.

☐ Yes ☐ No

Is the development entity required to file periodic reports with the Federal Securities and Exchange Commission or any other federal or state agency?

☐ Yes ☐ No

Principal Participants

List all principals and affiliates (individuals, businesses and organizations) that have an interest (financial or otherwise) in the development entity.

<i>Name and Address</i>	<i>Taxpayer ID</i>	<i>Title or Role</i>	<i>Interest (%)</i>	<i>Character and Extent of Interest</i>

Previous Experience

Has the development entity *(or any of its principals and affiliates)*, or the property of the proposed project, ever been delinquent on City obligations, including income taxes, real estate taxes and water and sewer charges? If yes, explain.☐ Yes ☐ NoHas the development entity *(or any of its principals and affiliates)*, ever been a party to chronic housing code violations, excessive tenant complaints, or substantial judgements within the past five years? If yes, explain.☐ Yes ☐ No

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RFP Exhibit Checklist

Has the development entity (*or any of its principals and affiliates*) ever had chronic past due accounts, substantial liens or judgments, foreclosures or bankruptcies within the past five years; or defaulted on any obligation to the District of Columbia w

☐Yes ☐No

Has the development entity (*or any of its principals and affiliates*) ever had a limited denial of participation from HUD or been debarred, suspended or voluntarily excluded from participation in any federal or state program? If yes, explain.

☐Yes ☐No

Has the development entity (*or any of its principals or affiliates*) participated in the development or operation of a project that experienced a default? If yes, provide the number of developments and explain (*including the name and location of the develo*

☐Yes ☐No

Has a petition of involuntary bankruptcy ever been filed against the development entity? If yes, explain.

☐Yes ☐No

Has the development entity ever filed a petition of bankruptcy? If yes, explain.

☐Yes ☐No

Has the development entity ever made an assignment for the benefit of creditors? If yes, explain.

☐Yes ☐No

Are there any unsatisfied judgments outstanding against the development entity or any of its principals or affiliates?, If yes, explain.

☐Yes ☐No

Has the development entity been a party to any litigation during the past five years? If yes, explain.

☐Yes ☐No

CERTIFICATION

The undersigned hereby certifies that he/she is the duly authorized representative of the Organization and that the information set forth in this document, and in any attachment in support thereof, is true, correct and complete to the best of his/her know

(Date)

(Full legal name of organization)

Signature: _____

Name: _____

Title: _____

DEVELOPMENT TEAM MEMBER CURRENT WORK LOAD

List projects currently underway by:

[illegible]

1. Show the type of project, for example, rental, home ownership, commercial or mixed use.
2. Show the type of construction, which includes substantial rehabilitation, moderate rehabilitation, new construction or financial restructuring.
3. Show the number of affordable units, the number of unrestricted units and square footage.
4. Show the type of financing or subsidy and the lender or agency involved.

EXHIBIT L: GENERAL CONTRACTOR EXPERIENCE

Staff will evaluate the general contractor based on its record of accomplishment during the past five years with projects that are similar to the proposed project. If a general contractor has been identified at the time of application, a resume that addresses the experience and qualifications of the general contractor must be submitted. This should contain information on the contractor's experience with other projects of similar type, scale and complexity and in a similar capacity. In addition, please submit AIA Document A305 -- Contractor's Qualification Statement with the Department's supplement as part of the application.

If the general contractor has not been selected but will be selected through a competitive bid process later, please contact the Department for additional instructions before submitting an application for financing.

ATTACHMENTS

- ☐ Resume
- ☐ AIA Document A305—Contractor's Qualification Statement
- ☐ Supplement to the AIA Document A305—Contractor's Qualification Statement (form attached)

***SUPPLEMENT TO THE AIA DOCUMENT A305—CONTRACTOR’S
QUALIFICATION STATEMENT***

SUPPLEMENTAL INFORMATION

1. List which trades, if any, will be performed directly by the Organization’s own personnel or by identity of interest subcontractors, and not by outside subcontractors, in the construction of the proposed housing development. If none, so state.

2. Neither the contractor nor any director, stockholder, officer, employee or agent associated with the contractor nor any person, organization or corporation has any financial interest in said property, and has not received nor will receive any benefit from the acquisition of said property, including but not limited to rebate, refunds, commissions or fees, except as hereunder disclosed. If none, so state.

3. The undersigned hereby certifies that neither the Organization nor any partner, director, stockholder, officer, employee or agent associated with the Organization nor any person, organization or corporation having a financial interest in the affairs of the Organization, has agreed, or will agree, directly or indirectly, or with the Organization’s knowledge and consent, to give to any other party any payment or thing of value, profit or fee, or commission as an inducement for the granting of this contract, except as hereunder disclosed. If none, so state.

4. Has the Organization, under its present name or any previously used name, or any of its principals, ever commenced construction of a project that it has not completed, except those currently under construction? If yes, provide details. Use extra sheets if necessary.

5. In answering the following questions, the term “Principal” (as listed in paragraph 2 above) also includes any other Organization in which such person participated as a Principal.
 - 5.1. Have any of the Principals ever filed a petition of bankruptcy? ☐Yes ☐No
 - 5.2. Has there ever been a petition of bankruptcy filed against the Organization or any of the Principals? ☐Yes ☐No

- 5.3. Has the Organization or any of the Principals ever made an assignment for the benefit of creditors? ☐Yes ☐No
- 5.4. Are there any unsatisfied judgments or liens against the Organization or any of the Principals? ☐Yes ☐No
- 5.5. Has the Organization or any of the Principals been a party to any litigation within the last five years? ☐Yes ☐No

If the answer to any of the questions in paragraph 5 is yes, give details. Use additional sheets if necessary.

6. Has the Organization, or any of the Principals, ever been convicted of a crime? If yes, give details including the name of the entity or person, when and where convicted, and the crime or offense involved.

7. Can the Organization obtain 100% payment and performance bonds for constructing the subject development?

CERTIFICATION

The undersigned hereby certifies that he/she is the duly authorized representative of the Organization and that the information set forth in this certificate, and in any attachments in support thereof, is true, correct and complete to the best of his/her knowledge and belief.

IN WITNESS WHEREOF, the General Contractor has caused this certificate to be duly executed in its name on this _____ day of _____, _____.

NAME OF ORGANIZATION

By: _____
Name: _____
Title: _____

EXHIBIT M: ARCHITECT EXPERIENCE

Staff will evaluate the architect based on its record of accomplishment during the past five years with projects that are similar to the proposed project. A resume that addresses the architect's experience and qualifications must be submitted. This should contain information on the architect's experience with other projects of similar type, scale and complexity and in a similar capacity. In addition, please submit AIA Document B431 -- Architect's Qualification Statement as part of the application.

ATTACHMENTS

- ☐ Resume
- ☐ AIA Document B431—Architect's Qualification Statement

EXHIBIT N: MANAGEMENT AGENT EXPERIENCE

Staff will evaluate the management agent based on its record of accomplishment during the past five years with projects that are similar to the proposed project. Please submit the Department's Form 209 – Management and Marketing Agent's Qualifications as part of the application along with the supporting information listed below. This should contain information on the management agent's experience with other projects of similar type, scale and complexity and in a similar capacity.

- Resumes for each member of the firm or the management division that will have responsibility for or involvement in the project, including the executive officer or partner-in-charge, supervisor and resident manager
- Apartment Management and Marketing Experience (form attached)
- Sample management materials, including financial statements, budgets, work order system, and maintenance programs
- Sample marketing materials, including marketing plan, rental brochure, press release, photographs of models and community spaces, newspaper advertisements and direct mail advertisements
- Current financial statements of the firm. Financial statements do not need to be in audited form. Please provide compiled, reviewed or certified financial statements for the company's previous fiscal year.
- References of the firm, including bank, professional and client

On an individual basis, management agents may keep previous forms on file with the Department so that only updates are required with each application.

ATTACHMENTS

- ☐ Form 209 – Management Agent's Qualifications and Apartment Management Experience (form attached)
- ☐ Resumes
- ☐ Development Team Member Current Workload (form attached to Exhibit)
- ☐ Sample Management Materials
- ☐ Sample Marketing Materials
- ☐ Current Financial Statements
- ☐ References



MANAGEMENT AGENT'S QUALIFICATIONS

FORM**209**

1. Principal Office of Firm

Name of Firm			
Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
Territory/Cities Covered	E-mail		

2. Other Offices of Firm

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
Territory/Cities Covered	E-mail		
Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
Territory/Cities Covered	E-mail		

3. Type of Firm (mark only one box)

- | | | |
|--------------------------------------|--|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Liability Corporation |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Other: _____ |

Year Founded _____
Year Property Management Activities Began _____

4. Bookkeeping

Indicate the software used by the Firm for its bookkeeping: _____

5. Residential Property Management Experience (Over the past three years)

Type of Project	Number of Projects	Number of Residential Units	Average Percentage Management Fee
Apartments			
Condominiums			
Single Family			
Other (describe)			
Total			

Has the management agent managed a Department-financed project for at least the two previous years? If no, complete all of the remaining sections. If yes, jump to section number 12 and answer all the remaining questions. ☐ Yes ☐ No

6. Marketing Services (mark the appropriate box for the following marketing services)

<i>Services</i>	<i>Provided by Firm</i>	<i>Provided by Subcontractor</i>	<i>Not Provided</i>
Preparation of Marketing Plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation of Rental Brochures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation of Press Releases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decoration of Models and Community Spaces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation of Displays and Classified Copy of Newspaper Advertisements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation of Direct Mail Advertising	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Other Services and Functions

Does the management agent provide any of the following services or functions? If these services are offered under a different firm or trade name, please indicate such name and relationship to firm (*for example, parent corporation, subsidiary, similar prin*

<i>Service or Function</i>	<i>Provided?</i>	<i>Provided By</i>	<i>Relationship</i>
Real Estate Sales or Brokerage	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Mortgage Banking or Brokerage	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Real Estate Development	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Real Estate Appraisals	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Insurance Agency or Brokerage	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Market Analysis	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Feasibility Studies	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Other (<i>describe</i>)	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Other (<i>describe</i>)	<input type="checkbox"/> Yes <input type="checkbox"/> No		

8. Staff of Firm

<i>Staffing</i>	<i>Currently</i>	<i>Two Years Ago</i>
Number of Employees of Firm		
Number of Executive and Professional Persons in Firm		
Number of Executive and Professional Persons Engaged in Property Management and Marketing Activities		

9. Experience with the Department (*indicate the names and addresses of DHCD financed projects that the management agent has managed*)

10. Tenant Services

Does the management agent provide special personnel or special programs to assist tenants with social problems?

If yes, describe.

☐Yes ☐No

Does the management agent provide its staff with special training regarding tenant relations, social problems, etc.
If yes, describe. ☐Yes ☐No

11. Bonding

Does the management agent have a surety bond? If yes, show the following informaton. ☐Yes ☐No

Amount of Bond \$ _____

Name of Bonding Company _____

If the management agent does not have a surety bond, is it eligible for a surety bond? ☐Yes ☐No

12. Licenses, Certificates and Accreditations

List licenses, certificates and accreditations of the Firm (*and executive, professional and supervisory employees, if relevant*).

Have any licesnses, bonds, certificates or accreditations ever been revoked, suspended, restriced, or in any manner,
limited or terminated? If yes, explain. (*Answer yes, even if license has since been restored.*) ☐Yes ☐No

13. Prior Experience

Has the management agent (*or any of its principals and affiliates*) ever had a limited denial of participation from
HUD or been debarred, suspended or voluntarily excluded from participation in any federal or state program? If
yes, explain. ☐Yes ☐No

Has the management agent (*or any of its principals or affiliates*) participated in the development or operation of a
project that experienced a dafault? If yes, provide the number of developments and explain (*including the name
and location of the developm*) ☐Yes ☐No

Has the management agent taken on the management of dafaulted or foreclosed properties?, If yes indicate owner
and mortgagee, experience with such properties and whether the properties returned to sustaining status. ☐Yes ☐No

14. Contract Status

Have any property management contracts held by the management agent over the past five years been terminated prior to their expiration date? If yes, provide the number of contracts and explain *(including the name and location of the development, mortgagor)* ☐Yes ☐No

Have any property management contracts held by the management agent over the past five years not been renewed upon expiration? If yes, provide the number of contracts and explain *(including the name and location of the development, mortgagor and reason su)* ☐Yes ☐No

15. Bankruptcy

Has a petition of involuntary bankruptcy ever been filed against the management agent? If yes, explain. ☐Yes ☐No

Has the management agent ever filed a petition of bankruptcy? If yes, explain. ☐Yes ☐No

Has the management agent ever made an assignment for the benefit of creditors? If yes, explain. ☐Yes ☐No

Are there any unsatisfied judgments outstanding against the management agent or any of its principals or affiliates?, If yes, explain. ☐Yes ☐No

Has the management agent been a party to any litigation during the past five years? ☐Yes ☐No
If yes, explain.

CERTIFICATION

The undersigned hereby certifies that he/she is the duly authorized representative of the management agent and that the information set forth in this document, and in any attachment in support thereof, is true, correct and complete to the best of his/her

NOTICE: [We need a citation for penalty for making false statements under D.C. Code.]

(Date)

(Full legal name of firm)

Signature: _____

Name: _____

Title: _____



APARTMENT MANAGEMENT AND MARKETING EXPERIENCE

List developments managed by: _____

Name and Address of Development	Services Performed		Type of Structures	Number of Units	Type of Mortgage Financing	Subsidy Program (if any)	Name and Address of Owner	Management Fee (% or per Unit)	Marketing Fee (if any)	Dates of Service (started/ ended)
	Management	Initial Marketing								
	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								
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	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>								



DEVELOPMENT TEAM INFORMATION

DEVELOPMENT TEAM MEMBERS

Developer

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Guarantor

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

General Contractor

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Management Agent

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Consultant

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Architect

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Nonprofit Participant

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

MBE/WBE Participant

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

DEVELOPMENT TEAM MEMBERS

Equity Provider

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Closing Attorney

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Private Lenders

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Private Lenders

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

Private Lenders

Mailing Address			
Contact	Phone	()	-
Title	Fax	()	-
D&B Duns Number	E-mail		

DEVELOPMENT TEAM HISTORY

Are there direct or indirect identity of interests, financial or otherwise, among any members of the development team? If yes, explain.

☐ Yes ☐ No

Has any development team member* participated in the development or operation of a project that has defaulted on a Department or other government or private sector loan in the previous ten (10) years? If yes, explain.

☐ Yes ☐ No

Has any development team member* consistently failed to provide documentation required by the Department in connection with other loan applications or the management and operation of other, existing developments? If yes, explain.

☐ Yes ☐ No

Does any development team member* have a limited denial of participation from HUD or is any development team member* debarred, suspended or voluntarily excluded from participation in any federal or state program, or have been involuntarily removed within

☐ Yes ☐ No

Does any development team member* acting in the roles of sponsor, developer, guarantor or owner have any chronic past due accounts, substantial liens, judgments, foreclosures or bankruptcies within the past ten (10) years? If yes, explain.

☐ Yes ☐ No

Has any development team member* received a reservation, allocation or commitment of funding or a carryover allocation of tax credits from the Department within the last four years that it was unable to use, or place their project in service within the ti

☐ Yes ☐ No

Does any development team member* have unpaid fees due to the Department on other projects, or for general partners or management agents, have tax credit compliance problems resulting in the issuance of an IRS Form 8823 and that are still outstanding in t

☐ Yes ☐ No

* i.e., Applicant, Developer, Guarantor Owner, Architect, General Contractor, Management Agent, Consultant.

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RFP Exhibit Checklist

LOCAL AND SMALL DISADVANTAGED BUSINESS ENTERPRISE (LSDBE) PARTICIPATION *(voluntary)*

Are any of the development team members LSDBEs? If yes, provide the following data on the business (mark all that apply): ☐ Yes ☐ No

☐ American Indian or Alaskan Native

☐ Black

☐ Asian or Pacific Islander

☐ Female

☐ Hispanic

☐ Other: _____

Is the entity an Office of Human Rights certified LSDBE? ☐ Yes ☐ No

NONPROFIT PARTICIPATION *(voluntary)*

Are any development team members* nonprofit entities? ☐ Yes ☐ No

Is a nonprofit entity involved in the project in a role other than as a development team member*? If yes, describe the entity's role. ☐ Yes ☐ No

Is the nonprofit entity headquartered in the same community as the project? ☐ Yes ☐ No

Does the nonprofit entity provide services to the same community as the project? If yes, describe the services ☐ Yes ☐ No

Does the nonprofit entity have a board of directors that includes community residents or members of organizations ☐ Yes ☐ No

Is the nonprofit entity affiliated with or controlled by a for-profit organization? If yes, describe the affiliation. ☐ Yes ☐ No

Is the nonprofit entity tax-exempt under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code? ☐ Yes ☐ No

Does the nonprofit entity's exempt purpose include the fostering of low income housing? ☐ Yes ☐ No

COMMUNITY-BASED INVOLVEMENT *(voluntary)*

Does the project involve the DC Housing Authority or DC Housing Finance Agency? If yes, describe the DCHA/DCHFA's role. ☐ Yes ☐ No

* i.e., Applicant, Developer, Guarantor Owner, Architect, General Contractor, Management Agent, Consultant.

COMMUNITY REVITALIZATION

Is the project in a neighborhood classified as one of the following:

- SNIPS
- NRSA
- Federal or District Enterprise Community/Empowerment Zones
- Main Street project area
- ☐
- ☐
- ☐
- ☐

Is the project located in a qualified census tract as defined in Section 42(d)(5)(C) of the Internal Revenue Code? If yes,describe. ☐Yes ☐No

EXHIBIT O: FINANCIAL STATEMENTS

Financial statements for the three fiscal years prior to the application and interim financial statements through the previous quarter are required for the borrowing entity (if formed), the principals of the borrowing entity and the proposed guarantor (if different). Each financial statement must identify all contingent liabilities, guarantees on other developments in process and operating deficits.

Financial statements must meet the Department's standards. If the most recent fiscal year ends within 3 months of or after the submission period, the applicant shall submit financial statements for the three prior fiscal years plus interim financial statements through the previous quarter of the most recent fiscal year that have been certified. Financial statements must meet the following standards:

- For corporations or other business entities, financial statements must be audited by an independent certified public accountant (CPA) and clearly indicate the net worth and working capital of each entity;
- For individuals, financial statements at a minimum must be compiled by an independent CPA and clearly indicate the net worth and working capital and contingent liabilities, included liability for estimated or accrued income or other taxes, for each person; and
- Compiled individual statements must also be prepared in accord with Generally Accepted Accounting Principles (GAAP) and signed and certified by the individual(s) using the following text:

"I (we) hereby certify that these financial statements are true and correct to the best of my (our) knowledge and belief."

Upon written request and at the Department's discretion, the requirement for audited statements may be waived if applicants have an acceptable borrowing history as evidenced by past performance with the Department or other lenders. In this event, compilations of financial statements that have been prepared by an independent CPA may be accepted. However, the compilation must meet the requirements for such compilations as described above.

On an individual basis, so that only updates and current year financial statements are required with each application. Credit references from at least three previous lenders must also be provided.

ATTACHMENTS

- ☐ Financial Statement (prepared by independent CPA)
- ☐ Credit References

EXHIBIT P: LOCAL/SMALL AND DISADVANTAGED BUSINESS ENTERPRISES

The Department will consider the extent to which the project includes specific and significant involvement by the entity and the capacity of the entity to carry out its role. A description of the entity's role in the development or operation of the project is necessary along with a resume that addresses the experience and qualifications of the entity. This should contain information on the entity's experience in other projects of similar type, scale and complexity and in a similar capacity. The application must include letters of intent from the organization that document the specific services or products to be provided to the project.

In addition, in order to verify the entity's status, LSDBEs must submit a copy of their District certification.

ATTACHMENTS

- ☐ Description of Entity's Role
 - ☐ Resume
 - ☐ Letters of Intent
 - ☐ LSDBE Certification
-
- ☐ **Not Applicable.** For projects that do not include an eligible entity, no information is required.

EXHIBIT Q: NONPROFIT OR PUBLIC HOUSING AUTHORITY / HOUSING FINANCE AGENCY PARTICIPATION

Ranking points are awarded to projects in which the development team includes one of the following entities:

- Nonprofit organization that is tax-exempt under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code and not affiliated with or controlled by a for-profit entity
- D.C. Housing Authority
- D.C. Housing Finance Agency

The Department will consider the extent to which the project includes specific and significant involvement by the entity and the capacity of the entity to carry out its role. For applicants that are seeking points under the selection criterion, a description of the entity's role in the development or operation of the project is necessary along with a resume that addresses the experience and qualifications of the entity. This should contain information on the entity's experience in other projects of similar type, scale and complexity and in a similar capacity. The application must include letters of intent from the organization that document the specific services or products to be provided to the project.

In addition, please provide evidence of the entity's status. Nonprofit entities must submit articles of incorporation, bylaws, evidence of an IRS ruling that it is a qualified 501(c)(3) or 501(c)(4) nonprofit organization, and a list of its board of directors. An attorney's opinion letter that the non-profit is not affiliated with or controlled by a for-profit entity is required only if a qualified non-profit will have a controlling interest in the borrowing entity.

ATTACHMENTS

- ☐ Description of Entity's Role
- ☐ Resume
- ☐ Letters of Intent

Nonprofit Entities

- ☐ Articles of Incorporation
- ☐ Bylaws
- ☐ IRS Ruling of 501(c)(3) or 501(c)(4) Nonprofit Organization
- ☐ List of Board of Directors
- ☐ Attorney's Opinion Letter, if the qualified non-profit will have a controlling interest in the borrowing entity
- ☐ **Not Applicable.** For projects that do not include an eligible entity or where the applicant is not seeking points under this selection criterion, no information is required.

EXHIBIT R: LOCAL SUPPORT AND INVOLVEMENT

LOCAL SUPPORT

As a condition of closing, the applicant must include a resolution or letter of support from the affected Advisory Neighborhood Commission(s) (ANC). The resolution or letter must indicate its support of the project in the current round of competition. Support should not be contingent upon the completion of tasks or improvements that are unrelated to the project, such as off-site work that is not necessary for completion of the project. Applicants may attach a resolution or letter if they have it at the time of application.

ATTACHMENTS

- ☐ Resolution or letter of support from ANC
- ☐ **Not Applicable.** Resolution or letter of support is not available at the time of application.

ADVISORY NEIGHBORHOOD COMMISSION CHAIRS (ANCs)

Name	Title	Ward	Telephone Number
Deborah Thomas	Chair	ANC - 1B	(202) 265-3871
Alan J. Roth	Chair	ANC - 1C	(202) 347-3030
Will Grant	Chair	ANC - 1D	(202) 305-1803
Dorothy Miller	Chair	ANC - 2A	(202) 332-0191
Vince Micone	Chair	ANC - 2B	(202) 607-8429
Leroy J. Thorpe, Jr.	Chair	ANC - 2C	(202) 387-1596
Sandra Perimutter	Chair	ANC - 2D	(202) 822-6070
Thomas L. Birch	Chair	ANC - 2E	(202) 347-3666
Cary Silverman	Chair	ANC - 2F	(202) 238-9109
Melissa J. Lane	Chair	ANC - 3B	(202) 276-0681
Nancy J. Macwood	Chair	ANC - 3C	(202) 966-5333
Alma Hardy Gates	Chair	ANC - 3D	(202) 338-2218
Amy Bauer McVey	Chair	ANC - 3E	(202) 966-7047
Karen L. Perry	Chair	ANC - 3F	(202) 363-6748
Robert Gordon	Chair	ANC - 3G	(202) 285-1379
James H. James	Chair	ANC - 4A	(202) 291-3202
Jeffrey H. Tignor	Chair	ANC - 4B	(202) 291-6282*
Timothy Jones	Chair	ANC - 4C	(202) 722-0701
Keith Jackson	Chair	ANC - 4D	(202) 882-4301
Norma M. Broadnax	Chair	ANC - 5A	(202) 529-6399
Joan E. Black	Chair	ANC - 5B	(202) 806-1526
James D. Barry, Jr.	Chair	ANC - 5C	(202) 387-8520
Joseph Fengler	Chair	ANC - 6A	(202) 423-8868
Julie S. Olson	Chair	ANC - 6B	(202) 544-7247
Robert L. Hall, Jr.	Chair	ANC - 6C	(202) 548-0424
Ahmed Assalaam	Chair	ANC - 6D	(202) 479-4107
Angela J. Murphy	Chair	ANC - 7A	(202) 584-1629
Kathy Chamberlin	Chair	ANC - 7B	(202) 581-8272
Muriel Chambers	Chair	ANC - 7C	(202) 398-5100*
Christine M. Tolson	Chair	ANC - 7D	(202) 582-6360*
Naomi P. Robinson	Chair	ANC - 7E	(202) 582-6360*
Anthony Muhammad	Chair	ANC - 8A	(202) 889-5168
Jacque D. Patterson	Chair	ANC - 8B	(202) 610-4827
Mary J. Cuthbert	Chair	ANC - 8C	(202) 246-9410
Soisette Lumpkin	Chair	ANC - 8D	(202) 246-9410
Sandra Seegars	Chair	ANC - 8E	(202) 561-6616

* Alternate telephone numbers to the ANC Office for the specified Ward.

EXHIBIT S: TENANT SERVICE PLAN

A draft of the plan for providing services for the tenants should be developed if the applicant will provide services under an elderly or special needs housing proposal. The plan should outline the strategy for creatively linking existing service programs into the design of the project. The plan should clearly identify the types of services to be offered, the method for financing the services, a budget with clearly identified funding sources for the services and the organizations that are anticipated to provide services or products. The plan should be specific to the project and include letters of interest from anticipated service providers.

ATTACHMENTS

- ☐ Draft Tenant Service Plan (see attached guidelines)
- ☐ Letters of Intent from Service Providers

- ☐ **Not Applicable.** For projects that will not provide tenant services, no information is required.

GUIDELINES FOR DEVELOPING A TENANT SERVICE PLAN

Describe the processes and procedures for carrying out the tenant services. The plan will be evaluated based on the extent to which it is comprehensive, well defined, feasible, appropriate for the proposed tenant population, innovative and involves a unique collaboration, partnership, ownership or management structure. Projects that include on-site services must be designed to include the necessary physical space for the services. More consideration will be given for services that are actively linked to the residents and not simply provided to the community at large. Tenant Service Plans, at a minimum, should address the following questions.

1. What are the tenant services that will be provided at the project?

2. How will the tenant services be financed?

3. What organizations will provide services or products and how will the services from other organizations be coordinated or delivered to the tenants?

4. Which tenant services will be provided on-site? (Indicate what facilities are available at the project site for providing these tenant services.)

5. What are the projected costs of the planned services and how will these services be funded? (Project sources also should be identified in the operating proforma in the CDA Application Form.)

6. Which tenant services will be provided off-site? (Indicate what facilities are available within the community for these tenant services and what access the tenants will have to these facilities.)

EXHIBIT T: COST ESTIMATES

A breakdown of the construction or rehabilitation costs shown in the application's development budget must be provided on the Department's Form 212—Summary Cost Estimate. Form 215 is not required at this stage. The cost estimates must be prepared and signed by the architect or general contractor for the project.

The construction or rehabilitation costs must be within a reasonable range for the scope of work proposed. If the proposed costs exceed the Department's standards, applicants must submit a waiver request (include under Exhibit Y, *Waiver Requests*) that includes a detailed explanation of the reasons the costs are outside of this range. The standards are set forth in the Department's Multifamily Rental Financing Program Guide.

ATTACHMENTS

- ☐ Form 212—Summary Cost Estimate (form attached)
- ☐ Form 215 - Request For Costs That Exceed The Department's Standard (under Exhibit Y)



SUMMARY COST ESTIMATE

FORM

212

Project: _____
 Location: _____
 Contractor: _____

Date: _____

Number of Units in Project: _____
 Gross Square Footage in Project: _____

<i>Description of Work</i>		<i>Average Cost</i>	<i>Average Cost</i>	
<i>Code</i>	<i>Item</i>	<i>Per GSF</i>	<i>Per Unit</i>	<i>Total Cost</i>
010-00	Total General Requirements			
021-00	Total Earth Work			
022-00	Total Site Utilities			
023-00	Total Roads And Walks			
024-00	Total Site Improvements			
025-00	Total Lawns and Planting			
026-00	Total Unusual Site Conditions			
027-00	Total Underground Construction			
028-00	Total Demolition			
029-00	Total Off-Site Improvements			
030-00	Total Concrete			
040-00	Total Masonry			
050-00	Total Metals			
060-00	Total Carpentry			
071-00	Total Waterproofing			
072-00	Total Insulation			
073-00	Total Roofing			
074-00	Total Sheet Metal			
081-00	Total Doors			
082-00	Total Windows			
083-00	Total Miscellaneous			
091-00	Total Lath And Plaster			
092-00	Total Drywall			
093-00	Total Tile Work			
094-00	Total Acoustical			
095-00	Total Flooring			
096-00	Total Painting and Decorating			
100-00	Total Specialties			
111-00	Total Special Equipment			
112-00	Total Appliances			
121-00	Total Draperies and Shades			
122-00	Total Carpeting			
130-00	Total Special Construction			
140-00	Total Elevators			
151-00	Total Plumbing			
152-00	Total HVAC			
160-00	Total Electric			
170-00	Total Modules			
180-00	Miscellaneous			

<i>Description of Work</i>		<i>Percent of Net Costs</i>	<i>Average Cost Per GSF</i>	<i>Average Cost Per Unit</i>	<i>Total Cost</i>
<i>Code</i>	<i>Item</i>				
190-00	Net Construction Costs (021-00 Through 180-00)				
200-00	Builder's General Overhead	%			
210-00	Bond Premium				
220-00	Builder's Profit	%			
230-00	Other				
010-00	General Requirements (<i>from page 1</i>)	%			
240-00	Total Construction Costs				

EXHIBIT U: SCHEMATIC DOCUMENTS

The attached guidelines outline the preliminary development documents that should be submitted with the application. The documents indicated in this section are considered minimum requirements and should be amended to meet the specific project requirements. Items that generally apply only to renovation projects are indicated

ATTACHMENTS

- ☐ Schematic Documents (guidelines attached)

SCHEMATIC DOCUMENTS

DRAWING REQUIREMENTS

All of the following documents must reflect the general intent of the project and generally delineate the proposed project scope.

1. Civil Engineering Documents

- a) Proposed Site Plan including the following:
 - All existing structures and location of all proposed structures
 - Basic storm water considerations
 - Existing and proposed roads and parking elements
 - Approximate location of all existing utilities
- b) Information Concerning the Proposed Site Specific to the project, disabled accessibility features, retaining walls, etc.

2. Architectural Documents

- a) Title Sheet
 - Project Information including Project name and address
 - The names, addresses and telephone numbers of the Owner and all Consultants
 - The date
 - The submissions level
 - List of Drawings
 - Project Area Breakdown
 - Unit Mix and Square Footages
 - Vicinity Map
- b) Schematic Demolition Floor Plans for Each Building Level (1/8" scale min)*
- c) Schematic Preliminary Floor Plans for Each Building Level (1/8" scale min)
- d) Schematic Demolition Plans of Individual Units (1/4" scale min)*
- e) Schematic Individual Unit Plans (1/4" scale min)
- f) Schematic Exterior Building Elevations (1/8" scale min)
 - Provide elevations of all major exterior wall areas
 - Provide schematic key plan indicating elevation locations
 - Include Demolition information as required.*

3. Structural Documents

- a) Information concerning the proposed Structural Systems and Information on Unusual Conditions, as required
- b) Information on the existing structural systems and the effect that the project will have on these*

* Generally applies only to renovation projects.

4. Plumbing Documents

- a) Information concerning the proposed Plumbing Systems and Information on Unusual Conditions, as required
- b) Information on the existing plumbing systems and the effect that the project will have on these *

5. HVAC

- a) Information concerning the proposed HVAC Systems and Information on Unusual Conditions, as required
- b) Information on the existing HVAC systems and the effect that the project will have on these*

6. Electrical

- a) Information concerning the proposed Electrical Systems and Information on Unusual Conditions, as required
- b) Information on the existing electrical systems and the effect that the project will have on these*

SPECIFICATION REQUIREMENTS

7. Outline Specifications

- a) The Application Outline Specification shall include all sections of the 16 Division CSI format applicable to project
- b) The specification need not be in a complete CSI/MasterSpec format
 - The section numbering and naming shall comply with the CSI 16 Division format
 - Parts I- “General” may be omitted
 - Part II- “Products” shall list all products anticipated for use in that section
 - Part III- “Execution” may be omitted
- c) The Specification cover shall include the following:
 - The names, addresses and telephone numbers of the Owner and all Consultants
 - The project name and address
 - The date
 - The submissions level
- d) A complete table of contents shall be included at the front of the Specification
- e) Division I
 - Include General Conditions and other project requirements, including those of the lender
 - Include Specific Renovation/Demolition related sections as required*
- f) Division II—where Division II is prepared by an separate Owner-retained Consultant, bind these Sections into the single Project Specification
- g) Divisions II through XVI
 - Include sections for all proposed elements
 - Include Specific Renovation/Demolition related sections as required*

* Generally applies only to renovation projects.

EXHIBIT V: BUILDING EVALUATION REPORT

For projects that involve the rehabilitation of existing buildings, applicants must provide a preliminary engineering assessment of the buildings. In rehabilitating properties, developers may encounter unforeseen issues that can delay, increase the cost of, or even halt rehabilitation. To avoid this, the Department requires that an engineer or other qualified professional complete an assessment of the property.

The following report is required for all renovation projects. The document indicated below shall be considered a minimum requirement. Amend as required for specific project conditions and requirements.

ATTACHMENTS

- ☐ Building Evaluation Report (guidelines provided)
- ☐ **Not Applicable.** If the project does not include the rehabilitation of existing buildings, a building evaluation report is not applicable.

BUILDING EVALUATION REPORT GUIDELINES

PRELIMINARY SCOPE OF WORK

Include a written scope of work delineating, in narrative form:

- The existing conditions and systems
- Proposed work to the above elements
- New systems and structures and how they will be integrated into the existing work.
- Other information as may be required to describe adequately the project.
- The narrative shall be broken down in the 16 CSI construction divisions.

PROJECT WALK THROUGH

Include the results of a survey of a minimum of 15% of the units including:

- Photographs of the building exterior and interior in sufficient detail and quantity to fully describe the existing conditions.
- Label all photographs with description of existing conditions and how these are anticipated to be modified by the work.
- Include a key plan indicating location of each photograph.
- A listing of the units reviewed and significant findings. Coordinate with the written scope of work above.

EXHIBIT W: EVIDENCE OF OTHER FUNDING

OTHER LOANS AND GRANTS

Letters of intent to provide financing must be furnished for all construction and permanent funding sources (loans and grants) identified in the application. At a minimum, letters of intent must be specific to the project and detailed concerning terms and conditions and must include the following:

- Intention to finance the project
- Amount of financing
- Specific repayment terms and conditions (for example, interest rate, term of loan, use restrictions, repayment terms)
- Any special conditions for receiving a commitment

CREDIT ENHANCEMENT

If financing will be subsidized or insured by another institution (such as under the Federal Home Loan Bank Board's Affordable Housing Program) provide a description of the source of enhancement, how premiums and/or costs are calculated, and the general terms of the enhancement (that is, provided during construction and/or permanent periods). Evidence that the appropriate applications have been prepared and have been or are ready to be filed must also be provided.

EQUITY SYNDICATION

For projects that will be syndicated, sponsors must provide a proposal from at least one syndication firm. The proposal must clearly show the following terms:

- Amount of tax credits expected, if applicable
- Type of investor
- Gross equity generated from the syndication
- Net proceeds to the project
- Syndication related costs and charges
- Schedule for the payment of equity
- Interest and charges associated with any bridge loan
- Any other special terms and conditions

ATTACHMENTS

- ☐ Letters of Intent or Commitment Letters for Other Loans and Grants
- ☐ Evidence of Credit Enhancement (if applicable)
- ☐ Syndication Proposal

EXHIBIT X: LONG-TERM SUBSIDIES

Points are awarded to projects that use long-term operating or rent subsidies. The subsidies must reduce the rent burden for low-income tenants. Project-based rent subsidies, payment in lieu of taxes or other operating or social service subsidies are encouraged. Documentation should indicate the source of the subsidy, the number of units affected, the total amount of subsidy and the terms of the subsidy.

ATTACHMENTS

- ☐ Documentation of Long-term Operating or Rent Subsidies

EXHIBIT Y: WAIVER REQUESTS

MAXIMUM LOAN LIMITS

Funding requests should not exceed \$2.0 million. Applicants requesting a waiver of the maximum loan amount should submit a waiver request that includes a description of other funding sources sought, the reason other funding sources are not available, the reason it is not feasible to reduce the project size or scope and the particularly high public purpose that the project serves.

MINIMUM REHABILITATION AND CONSTRUCTION COST LIMITS

For projects that involve the rehabilitation of existing buildings, the total hard costs of rehabilitation must be at least \$15,000 per unit. Applicants may request a waiver for projects that demonstrate both a strong need for preservation of affordable housing in the market area and that the affordable housing units will be lost if the project is not financed by the Department. Similarly, new construction projects that exceed the square foot maximum costs set forth in the Guide must also request a waiver justifying the estimated costs in terms of public purpose.

OPERATING RESERVES

Operating reserves should range from three to six months of projected operating expenses plus all required debt service payments and monthly replacement reserve payments. For projects with proposed operating reserves that are outside of this range, sponsors must submit a request for a waiver that includes a detailed explanation of the reasons operating reserves for the project should be set at a different level.

DEVELOPER'S FEE

The maximum developer's fee is 10% of acquisition costs and 15% of other total development costs. The developer's fee may not exceed \$2.5 million. For projects with a proposed developer's fees in excess of \$2.5 million, the applicant must submit a waiver request that includes a detailed explanation of the reasons an increased developer's fee is warranted.

OPERATING EXPENSES

Estimated annual operating expenses, including real estate taxes and excluding reserve for replacement deposits, should range from \$2,500 to \$4,500 per unit. For projects with proposed operating expenses that are outside of this range, applicants must submit a request for waiver that includes a detailed explanation of the reasons operating expenses for the project are expected to be outside this range.

ATTACHMENTS

- ☐ Form 215 - Request For Costs That Exceed The Department's Standard (form attached)
- ☐ Request for DHCD Loan Above Maximum
- ☐ Request for Rehabilitation Costs Below Maximum or Construction Costs Exceeding Maximums
- ☐ Request for Operating Reserves Outside Acceptable Range
- ☐ Request for Developer's Fee Above Maximum
- ☐ Request for Operating Expenses Outside Acceptable Range
- ☐ Other Requests

Not Applicable. For projects that meet all of the criteria threshold hereto described above, no documentation is required.



DETAILED COST ESTIMATE

FORM

215

FORM 215 DOES NOT NEED TO BE COMPLETED FOR THE APPLICATION SUBMISSION KIT PHASE

Project: _____
 Location: _____
 Contractor: _____

Date: _____

<i>Description of Work</i>		<i>Estimated Units (Quantity)</i>	<i>Estimated Cost (Material and Labor)</i>	
<i>Code</i>	<i>Item</i>		<i>Per Unit</i>	<i>Total</i>
010-00	Total General Requirements			
010-01	Supervision			
010-02	Engineering and Layout			
010-03	Soil Testing			
010-04	Concrete Test			
010-05	Temporary Heat			
010-06	Temporary Electric			
010-07	Temporary Water			
010-08	Temporary Toilets			
010-09	Field Office			
010-10	Field Telephone			
010-11	Field Storage			
010-12	Temporary Roads			
010-13	Temporary Walls and Barricades			
010-14	Temporary Fences			
010-15	Cleanup Hauling			
010-16	Cleanup Labor			
010-17	Small Tools and Supplies			
010-18	Theft and Damage			
010-19	Temporary Fire Protection			
010-20	Hoist Foundation			
010-21	Hoist Rental			
010-22	Hoist Labor			
010-23	Trucks and Cars			
010-24	Final Cleanup			
010-25	Window Washing			
010-26	Re-glazing			
010-27	Watchmen			
010-28	Project Signs			
010-29	Blueprints and Photographs			
010-30	Bonds			
010-31	Fees			
010-32	Permits			
010-33	Tap Ons			
010-34	Insurance			
010-35	Miscellaneous			
021-00	Total Earth Work			
021-01	Clearing and Grubbing			
021-02	Rough Grading			
021-03	Foundation Excavation			
021-04	Finish Grading			
021-05	Other			

022-00	Total Site Utilities			
022-01	Gas Distribution			
022-02	Water Distribution			
022-03	Electric Distribution			
022-04	Storm Sewer System			
022-05	Sanitary Sewer System			
022-06	Drain Tiles			
022-07	Drainage Structures			
022-08	Other			

023-00	Total Roads and Walks			
023-01	Bituminous Paving			
023-02	Concrete Paving			
023-03	Brick Paving			
023-04	Pavement Sealing			
023-05	Curbs and Gutters			
023-06	Concrete Walks			
023-07	Asphalt Walks			
023-08	Parking Lot Stripping			
023-09	Other			

024-00	Total Site Improvements			
024-01	Fences			
024-02	Site Lighting			
024-03	Aesthetic Features			
024-04	Other			

025-00	Total Lawns and Planting			
025-01	Lawns			
025-02	Ground Cover and Plants			
025-03	Trees			
025-04	Other			

026-00	Total Unusual Site Conditions			
026-01	Unusual Site Conditions			
026-02	Other			

027-00	Total Underground Construction			
027-01	Pile Foundations			
027-02	Caissons			
027-03	Other			

028-00	Total Demolition			
028-01	Demolition			
028-02	Other			

029-00	Total Off-Site Improvements			
029-01				
029-02				
029-03				
029-04				
029-05				
029-06				
029-07				
029-08				
029-09				
029-10				
029-11				

030-00	Total Concrete			
030-01	Formwork			
030-02	Reinforcing			
030-03	Structural Concrete			

040-00	Total Masonry			
040-01	Reinforcing			
040-02	Brick			
040-03	Concrete Block			
040-04	Stonework			
040-05	Clay Tile			
040-06	Cleaning			
040-07	Other			

050-00	Total Metals			
050-01	Siding			
050-02	Structural Steel			
050-03	Steel Joints			
050-04	Metal Decking			
050-05	Metal Stairs			
050-06	Handrails and Railings			
050-07	Lintels			
050-08	Other			

060-00	Total Carpentry			
060-01	Insulating Board			
060-02	Rough Carpentry			
060-03	Pre-fabricated Structural Wood			
060-04	Metal Door Frames			
060-05	Metal Framing			
060-06	Miscellaneous Trim			
060-07	Siding			
060-08	Counter Tops			
060-09	Kitchen Cabinets			
060-10	Vanities			
060-11	Paneling			
060-12	Wood Stairs			
060-13	Wood Handrails and Railings			
060-14	Other			

071-00	Total Waterproofing			
071-01	Waterproofing			
071-02	Caulking and Sealant			
071-03	Damp-proffing			
071-04	Splash Blocks			
071-05	Other			

072-00	Total Insulation			
072-01	Batt Insulation			
072-02	Blown Insulation			
072-03	Rigid Insulation			
072-04	Foam Insulation			
072-05	Other			

073-00	Total Roofing			
073-01	Asphalt Shingle Roofing			
073-02	Build-up Roofing			
073-03	Pre-fabricated Plank Roofing			
073-04	Wood Shingle Roofing			
073-05	Metal Roofing			
073-06	Other			

074-00	Total Sheet Metal			
074-01	Flashing and Sheet Metal Work			
074-02	Gutters and Down Spouts			
074-03	Other			

081-00	Total Doors			
081-01	Hollow Metal Doors			
081-02	Metal Clad Doors			
081-03	Solid Core Doors			
081-04	Hollow Core Wood Doors			
081-05	Overhead Doors			
081-06	Bi-fold Doors			
081-07	Revolving Doors			
081-08	Sliding Closet Doors			
081-09	Café Doors			
081-10	Sliding Glass Doors			
081-11	Shower Doors			
081-12	Thresholds			
081-13	Hardware			
081-14	Glazing			
081-15	Other			

082-00	Total Windows			
082-01	Metal Windows			
082-02	Wood Windows			
082-03	Store Front			
082-04	Glazing			
082-05	Other			

083-00	Total Miscellaneous			
083-01	Weather-stripping			
083-02	Storm and Screen Attachments			
083-03	Other			

091-00	Total Lath and Plaster			
091-01	Lath and Plaster			
091-02	Other			

092-00	Total Drywall			
092-01	Drywall			
092-02	Other			

093-00	Total Tile Work			
093-01	Ceramic Tile			
093-02	Quarry Tile			
093-03	Terrazzo			
093-04	Other			

094-00	Total Acoustical			
094-01	Acoustical Tile			
094-02	Other			

095-00	Total Flooring			
095-01	Wood Flooring			
095-02	Resilient Flooring			
095-03	Special Flooring			
095-04	Other			

096-00	Total Painting and Decorating			
096-01	Painting and Staining			
096-02	Special Wall Covering			
096-03	Other			

100-00	Total Specialties			
100-01	Trash Chutes			
100-02	Storage Cubicles			
100-03	Shower and Toilet Partitions			
100-04	Fire Fighting Devices			
100-05	Fireplaces			
100-06	Fireplace stacks			
100-07	Flag Poles			
100-08	Signs			
100-09	Lockers			
100-10	Mail Boxes			
100-11	Intercom System			
100-12	Security System			
100-13	Folding Partitions			
100-14	Toilet and Bath Accessories			
100-15	Waste Disposal Units			
100-16	Other			

111-00	Total Special Equipment			
111-01	Smoke Detectors			
111-02	Compactors			
111-03	Other			

112-00	Total Appliances			
112-01	Laundry Appliances			
112-02	Refrigerators			
112-03	Ranges			
112-04	Range Hoods			
112-05	Dishwashers			
112-06	Disposals			
112-07	Air Conditioners			
112-08	Air Conditioner Sleeves			
112-09	Other			

121-00	Total Draperies and Shades			
121-01	Shades			
121-02	Draperies Tracks			
121-03	Draperies			
121-04	Other Window Covering			
121-05	Other			

122-00	Total Carpeting			
122-01	Carpeting			
122-02	Other			

130-00	Total Special Construction			
130-01	Swimming Pool			
130-02	Garbage Enclosures			
130-03	Play Equipment			
130-04	Tennis Court Accessories			
130-05	Basketball Court Accessories			
130-06	Other			

140-00	Total Elevators			
140-01	Elevator Mechanism			
140-02	Elevator Cabs			
140-03	Other			

151-00	Total Plumbing			
151-01	Underground			
151-02	Domestic Water Supply			
151-03	Waste and Vent Piping			
151-04	Gas Piping			
151-05	Sprinklers, Standpipes and Siamese			
151-06	Domestic Water Pump			
151-07	Fire and Jockey Pumps			
151-08	Sump Pumps and Sewer Ejectors			
151-09	Hot Water Heaters			
151-10	Water Softeners			
151-11	Pipe Insulation			
151-12	Tubs			
151-13	Showers			
151-14	Water Closets			
151-15	Lavatories			
151-16	Kitchen Sinks			
151-17	Urinals			
151-18	Drinking Fountains			
151-19	Roof Drains			
151-20	Fire Hydrants			
151-21	Other			

152-00	Total HVAC			
152-01	Boilers and Chillers			
152-02	Furnaces			
152-03	Breeching			
152-04	Vent Stacks			
152-05	Heating Piping			
152-06	Ductwork			
152-07	Fire Dampers			
152-08	Insulation -- Ducts			
152-09	Insulation -- Heating Piping			
152-10	Terminal Units			
152-11	Thermostats			
152-12	Condensers			
152-13	Exhausts			
152-14	Vents -- Laundry			
152-15	Other			

160-00	Total Electrical			
160-01	Underground			
160-02	Roughing			
160-03	Finishing			
160-04	Lighting Protections			
160-05	Other			

170-00	Total Modules			
170-01	Modules			
170-02	Other			

180-00	Miscellaneous			
180-01				
180-02				
180-03				
180-04				
180-05				
180-06				
180-07				
180-08				
180-09				
180-10				

190-00	Net Construction Costs (021-00 through 180-00)			
200-00	Builder's General Overhead			
210-00	Bond Premium			
220-00	Builder's Profit			
230-00	Other			
230-01				
230-02				
230-03				
230-04				
230-05				
230-06				
230-07				
230-08				
230-09				
010-00	General Requirements (from page 1)			
240-00	Total Construction Costs (must equal DHCD Form 212)			

SUMMARY

Number of Units in Project: _____
Gross Square Footage in Project: _____

<i>Description of Work</i>		<i>Percent of Net Costs</i>	<i>Average Cost Per GSF</i>	<i>Average Cost Per Unit</i>	<i>Total Cost</i>
<i>Code</i>	<i>Item</i>				
190-00	Net Construction Costs (021-00 Through 180-00)				
200-00	Builder's General Overhead	%			
210-00	Bond Premium				
220-00	Builder's Profit	%			
230-00	Other				
010-00	General Requirements (from page 1)	%			
240-00	Total Construction Costs				

APPROVALS

Signature: _____
Developer: _____

Date: _____

Signature: _____
Contractor: _____

Date: _____

Signature: _____
Department of Housing and Community Development

Date: _____

EXHIBIT Z: MONITORING CERTIFICATION FORM

DISTRICT OF COLUMBIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

DHCD requires each applicant to sign a “Monitoring Certification Form” indicating their agreement to comply with the regulations, to be subject to DHCD monitoring for compliance, and to accept any applicable penalties for noncompliance. The applicant is responsible for any and all costs associated with implementing and maintaining records to comply with and allow for DHCD monitoring. The “Monitoring Certification Form” is included here as an attachment.

The following are attached.

- Exhibit Z: Monitoring Certification Form and Monitoring, Elements Guidelines and/or Requirements
- Exhibit Z-1: Fair Housing and Equal Opportunity (FHEO) Certification
- Exhibit Z-2: Section 504 Certification Form – DHCD Accessibility Requirement for Subrecipients and Section 504 Certification Form
- Exhibit Z-3: Lead Safe Housing Addendum
- Project Monitoring

Department of Housing and Community Development

Monitoring Certification Form

The U.S. Department of Housing and Urban Development (HUD) and the District of Columbia regulations require the Department of Housing and Community Development (DHCD) to monitor projects funded with federal and/or District of Columbia funds for compliance with various federal and District regulations. Applicants receiving financial assistance from DHCD could be subject to any and all of the following laws and regulations:

- Community Development Block Grant (CDBG), including all applicable Office of Management and Budget (OMB) Circulars, such as A-110 and A-122
- HOME Investment Partnerships Program, (including long-term affordability periods)
- Housing Production Trust Fund regulations, (including continuous affordability requirements)
- Environmental Reviews - 24 CFR Part 85
- Affirmative Action Program
- Section 3 - (24 CFR Part 135)
- First Source Agreements
- Davis Bacon and related Acts
- Conflict of Interest
- Fair Housing
- American with Disabilities Act of 1990
- Lead Safe Housing Rule (Lead Based Paint)
- Section 504 of the Rehabilitation Act of 1973
- Uniform Relocation Act or District of Columbia Relocation Assistance provisions (10 DCMR Chapter 22)
- OMB Circular A-133
- Freedom of Information Act

Project Name _____
Project Address _____

Developer Name _____
Developer Address _____

As an authorized official for the respective organization I certify to my organization's acceptance to:

- (1) Comply with all applicable regulations,
- (2) Incur all costs required for compliance with the applicable regulations,
- (3) Be subject to DHCD monitoring for compliance, and
- (4) Accept any applicable penalties for noncompliance.

(Print Full Name)

(Signature)

(Print Title)

(Date)

Lead-Safe Housing Addendum

EXHIBIT Z-1: FAIR HOUSING AND EQUAL OPPORTUNITY (FHEO) CERTIFICATION

The Department of Housing and Community Development (DHCD), under regulations from The U.S. Department of Housing and Urban Development (HUD), requires that each applicant for federal and/or District of Columbia funds sign the “Fair Housing and Equal Opportunity Certification Form” which indicates that neither applicant nor its contractors have any pending fair housing or civil rights legal proceedings against them for fair housing or equal opportunity violations. The applicant further agrees to comply with the FHEO laws and regulations as described in the attached information and is responsible for any and all costs associated with implementing and maintaining records to comply with and allow for DHCD monitoring. Applicants receiving financial assistance from DHCD need to be knowledgeable of all FHEO laws and regulations which affect the execution of their activities.

Signature and Certification:

The undersigned certifies to the District of Columbia Department of Housing and Community Development that it has read and understands all of its obligations under the FHEO requirements. The undersigned acknowledges that this certification will be relied upon by DHCD in its review and approval of proposal for funding and any misrepresentation of information or failure to comply with any conditions proposed in this certification could result in penalties, including the disbarment of Applicant for a period of time from participation in DHCD administered programs.

Signed: _____ Date _____
Applicant

Signed _____ Date _____
Architect/Engineer (registration number)

Signed _____ Date _____
Developer

DEFINITION OF LAWS

THE FAIR HOUSING ACT

Title VIII of the Civil Rights Act of 1968 (**Fair Housing Act**) prohibits discrimination in the *sale, rental and financing of dwellings based on race, color, religion, sex or national origin*. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendments Act to prohibit discrimination based on *disability or on familial status* (presence of child under age of 18, and pregnant women).

The 1988 Amendments also established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and revised and expanded Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts.

In connection with prohibitions on discrimination against individuals with disabilities, the *Act contains design and construction accessibility provisions for certain new multifamily dwellings developed for first occupancy on or after March 13, 1991*.

Complain Process:

Complaints filed with HUD are investigated by the Office of Fair Housing and Equal Opportunity (FHEO). If the complaint is not successfully conciliated then FHEO determines whether reasonable cause exists to believe that a discriminatory housing practice has occurred. Where reasonable cause is found, the parties to the complaint are notified by HUD's issuance of a Determination, as well as a Charge of Discrimination, and a hearing is scheduled before a HUD administrative law judge. Either party -- complainant or respondent -- may cause the HUD-scheduled administrative proceeding to be terminated by electing instead to have the matter litigated in Federal court. Whenever a party has so elected, the Department of Justice takes over HUD's role as counsel seeking resolution of the charge on behalf of aggrieved persons, and the matter proceeds as a civil action. Either form of action -- the ALJ proceeding or the civil action in Federal district court -- is subject to review in the U. S. Court of Appeals.

THE ARCHITECTURAL BARRIERS ACT OF 1968

The Architectural Barriers Act (ABA) requires buildings and facilities that are constructed by or on behalf of, or leased by the United States, *or buildings financed, in whole or in part, by a grant or loan made b federal funding to be accessible to persons with mobility impairments*. The Architectural and Transportation Barriers Board (ATBCB) has coordination authority for the ABA.

Legal Authority: The Architectural Barriers Act, 42 USC 4151, et seq; 24 CFR Parts 40 and 41.

Program Status: Active

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (TITLE VI)

Title VI prohibits discrimination on the basis of race, color or national origin in (1) programs and (2) activities receiving “Federal financial assistance”. Complaints must be filed within 180 days of the alleged act of discrimination. Complaints received from a program participant or service recipient will be forwarded to the Fair Housing Equal Opportunity division at the U.S. department of Housing and Urban Development.

Legal Authority: Title VI Civil Rights Act of 1964, 42 USC 2000d; 24 CFR Part 1.

Program Status: Active

EXECUTIVE ORDER 11063, NON-DISCRIMINATION

Executive Order 11063 (*Non-Discrimination and Equal Opportunity in Housing*) directs HUD and all other executive departments and agencies to take appropriate action to promote the abandonment of discriminatory practices with respect to property or facilities owned or operated by the Federal Government or provided with Federal financial assistance in the sale, leasing, rental, or other disposition of such property or facilities.

Legal Authority: E.O. 11063, Non-Discrimination, Issued Nov. 20, 1962, 27 FR 11527; 24 CFR Part 107.

Program Status: Active

AGE DISCRIMINATION ACT OF 1975

The Age of Discrimination Act of 1975 prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance directly or through contractual, licensing, or other arrangements use age distinctions or take any other actions which have the effect, on the basis of age of:

- •excluding individuals from denying them the benefits subjecting them to discrimination under, a program or activity receiving Federal financial assistance; or
- •denying or limiting individuals their opportunity to participate in any program or activity receiving Federal financial assistance.

Legal Authority: Age Discrimination Act of 1975, 42 USC 6101 et seq. and HUD Regulations at 24 CFR Part 146.

SECTION 109, HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974

Section 109 of the Act requires that no person in the United States shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance made available pursuant to the Act. Section 109 also directs that the prohibitions against discrimination on the basis of age under the Age Discrimination Act and the prohibitions on the basis of disability under Section 504 shall apply to programs or activities receiving Federal financial assistance under Title 1 programs.

Legal Authority: Codified in 24 CFR Part 6.

EXECUTIVE ORDER 11246

Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin. This order was superseded by Executive Order 11478 (Sec 401: 1101), which called for affirmative-action programs for equal opportunity at the agency level under general supervision of the Civil Service Commission.

Legal Authority: 41 CFR Chapter 60 (DOL)

EXECUTIVE ORDER 12892

Executive Order 12892, as amended, requires federal agencies [and their subrecipients] to affirmatively further fair housing in their programs and activities.

EXECUTIVE ORDER 13166

Executive Order 13166 eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally-assisted conducted programs and activities.

Variety of Covered Groups

Civil rights laws prohibit discrimination on several different grounds. These grounds are often the same among two or more of these laws. Thus, persons in a variety of "classes" or population groups are covered. These groups include: racial/ethnic groups e.g. Whites, Blacks, Hispanics, Asians/Pacific Islanders and American Natives; gender groups; groups distinguished by age or religion; and handicapped persons. The chart below indicates which of these classes or groups are covered by more than one civil rights law:

	RACE	COLOR	SEX	NATIONAL ORIGIN	RELIGION	AGE	HANDICAP
Title VI	X	X		X		X*	X*
Section 109	X	X	X	X			
Title VIII	X	X	X	X	X		X
E.O. 11063	X	X	X	X	X		
E.O. 11246	X	X	X	X	X		
Age Act 1975						X	
Section 504							X
Section 3	Coverage relates to lower income residents and certain businesses located in or owned by persons residing in the same metropolitan area (or non-metropolitan county) as the project.						

***NOTE:** Age and handicap are only covered to the extent provided under the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973.

Overlapping Coverage of Activities

More than one civil rights law may apply to a single type of activity. The following chart is a description of some of the major CDBG activities and the corresponding civil rights laws that affect them.

Constitutional Basis

The guarantee of civil rights has a constitutional as well as statutory base. Civil rights laws are an extension and interpretation of the equal protection and due process requirements of the United States Constitution.

CIVIL RIGHTS LAWS AND REGULATIONS

APPLICABLE CIVIL RIGHTS LAW	IMPLEMENTING REGULATIONS
Title VIII, Civil Rights Act of 1968, as amended	24 CFR parts 105,108, 109, 110, and 115; Part 200 Subpart M
Title VI, Civil Rights Act of 1964	24 CFR Part 1 (HUD)
Section 109, Housing & Community Development Act of 1974, As amended	24 CFR Part 570, Subpart I (HUD)
Executive Order 11063, as amended	24 CFR Parts 107 (HUD)
Section 104, Housing & Community Development Act of 1974, as amended	24 CFR Part 570, Subpart I
Executive Order 11246,as amended	41 CFR Chapter 60 (DOL)
Age Discrimination Act of 1975, as amended	45 CFR Part 91 (HHS)

EXHIBIT Z-2: SECTION 504 CERTIFICATION FORM

As an authorized official for the respective organization I certify to my organization's acceptance to:

- (1) Comply with all applicable regulations,
- (2) Incur all costs required for compliance with the applicable regulations,
- (3) Be subject to DHCD monitoring for compliance, and
- (4) Accept any applicable penalties for noncompliance.

The undersigned acknowledges that this certification will be relied upon by DHCD in its review and approval of final plans and specifications and any misrepresentations of information or failure to comply with any conditions proposed in this certification could result in penalties, including the disbarment of Applicant for a period of time from participation in DHCD administered programs.

_____ Applicant Signature	_____ Title	_____ Date
_____ Full Name (Print)	_____ Title	_____ Date
_____ Developer Signature	_____ Title	_____ Date

SECTION 504 CERTIFICATION SHEET & ACCESSIBILITY REQUIREMENTS

Section 504 of the Rehabilitation Act of 1973, as Amended, prohibits discrimination against persons with disabilities in the operation of programs receiving Federal financial assistance. It states, "No otherwise qualified individual with a disability in the United States... shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, service or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service".

The U.S. Department of Housing and Urban Development (HUD) regulations, at **24 CFR Part 8**, sets a mandate for the DC Department of Housing and Community Development (DHCD) to monitor projects funded with federal funds for compliance with various federal regulations.

DHCD requires that the accessibility requirements of Section 504 be incorporated into the design and construction of all new construction and/or rehabilitation projects funded under the 2003 Notice of Funding Availability (NOFA) and Request for Proposals (RFPs) regardless of whether or not the project will receive funding assistance.

NEW CONSTRUCTION

In regards to new construction, DHCD requires new developments to have a minimum of 5% of the total dwelling units or at least one unit, whichever is greater, accessible for persons with mobility impairments. An additional 2% of the units must be accessible for persons who have hearing or vision impairments. Accessible units to the maximum extent feasible must be distributed throughout the project. HUD may prescribe a higher percentage of units be accessible based upon the need for accessible units in the geographic area.

SUBSTANTIAL REHABILITATION/ALTERATIONS

The requirements for new construction also apply with substantial rehabilitation, which applies to properties with 15 or more units. ***Substantial rehabilitation occurs when the cost of the alteration is 75% or more of the replacement cost of the completed property.*** Construction and equipment costs do not include the (1) cost of land, (2) demolition, (3) site only improvements, (4) non-dwelling facilities, and (5) administrative costs for project development activities.

Section 504 requires that if any development (regardless of the number of units) is making modifications which go beyond normal maintenance, but which do not fall into the category of substantial alterations (either because of cost or the development has less than 15 units) that alterations to dwelling units...shall to the, maximum extent feasible, be made readily accessible to and usable by individuals with handicaps. If alterations of single elements or spaces of dwelling unit when considered together, amount to an alteration of a dwelling unit, the entire dwelling shall be made accessible.

REHABILITATION/MODIFICATION

Section 504 requires that if any development (regardless of the number of units) is making modifications which can go beyond normal maintenance, but which do not fall into the category of “substantial alterations” (either because of cost or the development has less than 15 units) that alterations to dwelling units...shall, to the maximum extent feasible, be made readily accessible to and usable by individuals with handicaps. If alterations of single elements or spaces of a dwelling unit, when considered together, amount to an alteration of a dwelling unit, the entire dwelling unit shall be made accessible.

TENANT REQUESTS FOR MODIFICATIONS

With tenant requested modifications, when an applicant or tenant requires an accessible feature to accommodate a disability, the owner must provide such feature unless doing so would result in a fundamental alteration in programs and/or an undue financial or administrative burden imposed on the operation of the program or facility.

NOTE: Each applicant must sign a “Section 504 Certification Form” indicating the agreement to comply with the regulations, to be subject to DHCD monitoring for compliance, and to accept any applicable penalties for noncompliance. After reviewing the information in this document please review the Section 504 attachment and fill out the Certification Form below.

DHCD Accessibility Requirements for Subrecipients

The 2003 DHCD Notice of Funding Availability (NOFA) and Request for Proposals (RFP) require that all projects funded under the NOFA meet all Federal and State accessibility standards as well as all accessibility requirements. Because accessibility requirements may differ depending on the funding sources of a particular project as well as the type of construction contemplated for a project, identifying the correct standards can be difficult. The following is an overview of the primary accessibility laws and requirements that are applicable to projects funded under the Plan.

Failure to comply with applicable accessibility, adaptive design and construction requirements of these laws may result in loss of project or program funding. Therefore, you should consult an attorney and/or design professional to ensure that the rehabilitation and/or construction of the multi-family project/development complies with the accessible and adaptive design and construction requirements of each applicable law.

I. District of Columbia Accessibility Requirements

The District of Columbia Municipal Code of Regulations (DCMR) 12A - Building Code, Section 512.0: "Physically Handicapped and Aged" specifies the required minimum of accessible units per number of units in a project being constructed. Each prospective grantee must be thoroughly knowledgeable with these regulations when applying for project funding from DCHD. In particular Section 512.2 (Use Group R-1) reads: Buildings of Use under this section containing more than 10 bedroom units shall be made accessible to physically handicapped persons in accordance with Section. The number of bedroom units accessible to physically handicapped persons shall not be less than (1) one unit per project containing 11 through 20 bedroom units; and one unit plus one for each additional 20 units or fraction of a unit when the project contains 21 and more bedroom units. To determine the total number of accessible units, more than one structure on a building site shall be considered as one building. The entrance doors to all bedroom units and to the toilets in these units shall have a minimum clear width of 32 inches (813 mm). All common use areas, public areas, and areas that may result in the employment of handicapped persons, except those enumerated in §512.1, shall be accessible.

Section 512.3 (Use Group R-2) Buildings under this category containing more than 10 dwelling units shall be made accessible to physically handicapped person in accordance with this section. The number of dwelling units accessible or adaptable to physically handicapped persons shall not be less than twenty-five percent (25%) of the dwelling units. To determine the total number of accessible units, more than one structure on a building site shall be considered as one building. The dwelling units allocated for the physically handicapped shall be proportionately distributed throughout all types of units.

Laundry and storage facilities shall be made accessible from the barrier-free units. Access to additional floors without public facilities is not required.

Section 512.4 – Accessible buildings and facilities: states that buildings and facilities required to be accessible by this section shall comply with ANSI A117.1-1986 as modified by section 512.4.2.

Projects receiving funding through DHCD must also comply with the regulations under Section 512.0 *Physically Handicapped and aged* of the Building Officials & Code Administrators International, Inc. (BOCA) of 1990.

DHCD requires that all projects which receive funding be designed and constructed in a manner so that the units and common areas, facilities and services are readily accessible to and usable by disabled persons. All projects that receive allocations or funding under this NOFA must comply with all applicable Federal and State accessibility laws. When two or more accessibility standards apply, the provider is required to follow and apply both standards so that a maximum accessibility is obtained. In addition, DHCD mandates that the accessibility requirements of Section 504 be incorporated into the design and construction of all new projects funded under the 2003 Notice of Funding Availability (NOFA) and the Request For Proposals (RFP), such as the Housing Production Trust Fund, HOME Investment Partnerships Program (HOME), Community Development Block Grants (CDBG), and Low Income Housing Tax Credits (LIHTC), regardless of whether or not the project will receive federal financing assistance. This means that all projects including those financed with tax exempt bonds which receive an allocation of 4% tax credits and 9% tax credit only projects, must incorporate at a minimum, the requirements of the UFAS into the design and construction of the project.

The attached chart, Summary of Accessibility Laws and Standards, can be used to initially determine the appropriate design standards that should be incorporated into a project. Project Architects, Engineers and Contractors should be familiar with the requirements of each standards to ensure that the appropriate requirements are met.

II. Federal Fair Housing Act

- A. Applicability.** The Fair Housing Act (FHA), Title VIII of the Civil Rights Act of 1968 as Amended, (42 U.S.C. 3601§ 800; 24 CFR) § requires that covered **public and private multifamily dwelling units designed and constructed for first occupancy after March 13, 1991**, be designed and constructed in a manner that the public and common use portions of such dwellings are readily accessible to and usable by disabled persons. First occupancy is defined as a building that has never before been used for any purpose. The Act's construction and design requirements apply on a building by building basis. **Under the 2003 NOFA, all new construction projects applying for 9% or 4% tax credits and/or HOME funds must be build in accordance with the accessibility requirements of the FHA. In addition, rehabilitation projects applying for credits and/or HOME funds must also meet the design and construction standards of the FHA if the first use of the building was after March 13, 1991.** These specific design and construction standards can be found in the appropriate requirements of the American National Standards Institute (ANSI), Fair Housing Accessibility Guidelines (FHAG) and in HUD's Fair Housing Act Design Manual. If a project is built in compliance with HUD's PHAG requirements, a safe harbor for compliance purposes is created.

B. Requirements (Please see Fair Housing Accessibility Checklist attachment)

NOTE: Fair Housing Act Accessibility Guidelines contain a narrow “Site Impracticability Exception” which provides that first floor units do not have to meet all of the Act’s requirements if it is impractical to have an accessible entrance to the building because of the natural hilly terrain or other unusual characteristics of the site. Any project that claims such an exception must submit documentation from the project architect outlining the basis for the site exception. Supporting documentation of the “site impracticability” must also be submitted. DHCD may also request the Owner to provide a legal opinion that the project falls with the requirements of the Site Impracticability Exception. DHCD’s acceptance of such documentation should not be construed as conclusive that the project meets the legal requirements of the exception. Each Project Owner should consult their own attorney to make that determination.

III. Section 504 of the Rehabilitation Act of 1973

(A) **Applicability.** Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities in the operation of programs receiving federal financial assistance. These programs include, but are not limited to HOME, CDBG, and other programs under the jurisdiction of the HUD Office of Multifamily Housing Program. HUD regulations implementing Section 504 contain accessibility requirements for new construction and rehabilitation of housing as well as requirements for ensuring that the programs themselves are operated in a manner that is accessible to and usable by persons with disabilities. Both individual units and the common areas of buildings must be accessible under Section 504. **All projects funded under the 2003 NOFA which provide for the new construction or rehabilitation of multifamily housing projects must be designed and built in accordance with the appropriate accessibility requirements of Section 504 if the projects will receive HOME or other federal funding.** These specific design and construction standards can be found in the Uniform Federal Accessibility Standards (UFAS). A copy of the UFAS is provided in the appendix to this Section.

(B). Specific 504 Requirements.

New Construction — A minimum of 5% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with mobility impairments. A minimum of 2% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with sensory impairments (hearing or vision).

Substantial Rehabilitation — 11 alterations are undertaken to a project that has 15 or more units and the cost of the alteration is 75% or more of the replacement costs of the completed facility than the accessibility requirements for the projects are the same as for newly constructed projects.

Other Alterations- When other alterations are undertaken, including, but not limited to modernization and rehabilitation which does not meet the Threshold of “substantial” rehab under the act, such alterations are required to be accessible to the maximum extent feasible, up to the point where at least 5% or the units in a project are accessible, If alterations of single elements or

spaces of a dwelling unit, when considered together, amount to an alteration of a dwelling unit, then the entire dwelling unit shall be made accessible.

NOTE: Section 504 contains a narrow exception when alterations that do not meet the standard of “substantial rehabilitation” are undertaken. This exception provides that a recipient is not required to make a dwelling unit, common area, facility or element accessible if doing so would impose undue financial and administrative burden on the operation of the project. Therefore recipients are required to provide access for covered alterations up to the point of being infeasible or an undue financial and administrative burden. Any project that claims such an exception must submit documentation from the project architect outlining the basis for the site exception. Supporting documentation regarding the feasibility of the modification must also be submitted. DCA may also request the Owner to provide a legal opinion that the project falls within the requirements of the Exception. DCA’s acceptance of such documentation should not be construed as conclusive that the project meets the legal requirements of the exception. Each Project Owner should consult their own attorney to make that determination.

C. Increasing Program Accessibility

Section 504 regulations also require that a recipient of Federal Funds ensure that its project, when viewed in its entirety, is accessible to persons with disabilities. In order to meet this obligation, Section 504 requires that the Project Owner must:

- To the maximum extent feasible, distribute accessible units through the projects and sites, and make them available in a sufficient range of sizes and amenities so as to not to limit choice.
- Adopt suitable means to assure that information regarding the availability of accessible units reaches eligible individuals with disabilities. Reasonable nondiscriminatory steps to maximize use of such units by eligible individuals must also be taken.
- When an accessible unit becomes vacant, before offering the unit to an individual without a disability, offer the unit: first, to a current occupant of the project requiring the accessibility feature; and second, to an eligible qualified applicant on the waiting list requiring the accessibility features.
- When an applicant or tenant requires an accessible feature or policy modification to accommodate a disability, a federally assisted project must provide such feature or policy modification unless doing so would result in a fundamental alteration in the nature of its program or an undue financial and administrative burden.
- Project Owners are required to ensure that information about their project is disseminated in a manner that is accessible to persons with disabilities.
- Include a lease provision that requires a non disabled family occupying an accessible unit to move if a family with a disability needing that size unit applies and there is an appropriately sized nonaccessible unit available for the relocating family.

IV. Visitability

HUD recommends that all design, construction and alterations for multifamily units, incorporate, whenever practical, the concept of visitability in addition to the requirements under Section 504 and the Fair Housing Act. DCA has also adopted the concept of visitability as a recommended practice for all projects that receive funding under the 2003 Qualified Allocation Plan. The concept of visitability is to design units so that persons with disabilities can visit relatives, friends and neighbors. The following are the basic visitability design requirements:

- Provide 32 inch clear openings in all bathroom and interior doorways
- Provide at least one accessible means of egress/ egress for each unit.

V. The American with Disabilities Act

A. Applicability. The American with Disabilities Act guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services and telecommunication. It is divided into five titles. Two of which are primarily applicable to multifamily housing agencies.

Title II. Public Services, which include state and local government instrumentalities, cannot deny people with disabilities from participating in programs or activities which are available to people without disabilities.

Title III. Prohibits disability based discrimination and requires privately owned places of “public accommodation” to be designed, constructed, and altered in compliance with certain accessibility standards.

Under the 2003 Qualified Allocation Plan, the ADA is applicable to all new construction projects that are selected for funding. In Rehabilitation projects, existing facilities must comply to the extent readily achievable. Please note that generally the requirements of the ADA are not as restrictive as the requirements under section 504. Therefore, if you follow the design criteria set forth in the UFAS, you will satisfy the criteria of the ADA as it pertains to common area and facilities. Projects financed through an allocation of 4% or 9% tax credits, need to closely review the requirements of the ADAAG or UFAS as it pertains to these areas of public accommodation.

B. Basic ADA Requirements

For all DCA new construction projects the following requirements are applicable:

- Public accommodations does not include portions of privately owned rental housing used exclusively as residents, but does not include areas within such facilities that are available to the general public such as rental offices and community rooms for rental by non residents.
- Social Service programs operated by a housing provider that are available to non-residents would be considered public accommodations and must be accessible under Title III.

Design, Construction, or alteration of facilities in conformance with the UFAAS or with the ADA Accessibility Guidelines (ADAAG) shall be deemed to comply with requirements of the Act.

For rehabilitation projects, the following requirements are applicable to those areas covered by the ADA:

- All architectural barriers in existing facilities must be removed where such removal is readily achievable that is easily accomplished and able to be carried out. This would include adding grab bars, ramping a few steps and lowering telephones. If barrier removal is not readily achievable then services must be made available through alternative methods.

NOTE: Any project that claims a required modification is not readily achievable must submit documentation from the project architect outlining the basis for the exception. Supporting documentation regarding the achievability of the modification must also be submitted. DCA may also request the Owner to provide a legal opinion that the project falls with the requirements of the Exception. DCA's acceptance of such documentation should not be construed as conclusive that the project meets the legal requirements of the exception. Each Project Owner should consult their own attorney to make that determination.

VI. Layered Properties

In many projects, multiple sources of funding may mean the projects must meet both the Fair Housing and Section 504 new construction requirements. Where two or more accessibility standards apply, the Project Owner is required to follow and apply both standards so that maximum accessibility is obtained. The US Department of Housing and Urban Development has provided the following examples illustrating how these requirements would apply:

- A project building with an elevator constructed with HOME funding would be required to have 5% of its dwelling units meet the Section 504 accessibility requirements. The remaining 95% of its units would be required to comply with the Fair Housing design and construction requirements.
- A newly constructed 100 unit two story garden apartment development with no elevator construction with HOME assistance with half (50) of its dwelling units on the ground floor and half (50) on the second floor would be required to have 5 of its ground floor dwelling units built to comply with Section 504 accessibility requirements and the remaining 45 ground floor dwellings built to comply with the Fair Housing Act design and construction standards.
- A development consisting entirely of multistory rental townhouses constructed with Federal financial assistance is not a covered multifamily dwelling for purposes of the design and construction requirements of the Fair Housing Act. It would still have to meet the Section 504 5% accessibility requirements.

VI. Additional Resources

The below referenced links may be used to access different accessibility standards and information:

Fair Housing Accessibility Guidelines (FHAG):

<http://www.hud.gov/fhe/fhefhag.html>

Uniform Federal Accessibility Standards (UFAS):

<http://www.access-board.gov/ufas/ufas-html/ufas.htm>

ADA Accessibility Guidelines for Buildings and Facilities (ADAAG):

<http://www.access-board.gov/adaag/html/adaag.htm>

Disability Guidelines and Legal resource
www.disabilityfirst.com

Disability Legal and Advocacy information
www.bazelon.org

ADA Information Center
adainfo@transcen.org

Disability Rights Council
rights@erols.com

Please note that DHCD does not endorse any of the above sites, but provides them as an additional resource only. Please consult with your Project Architects, Engineers, Contractors and Attorneys to determine how the requirements of each standard will be met.

EXHIBIT Z-3: LEAD-SAFE HOUSING ADDENDUM

DHCD/DFD Multi-Family Rehabilitation Projects

I. Introduction

This Addendum is intended to be an integrated summary of Federal and District requirements for the implementation of lead hazard reduction. DHCD is responsible for the enforcement of the HUD Lead-Safe Housing Rule, 24 CFR Part 35, "Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance" - <http://www.hud.gov/offices/lead/leadsaferule/index.cfm>. The Borrower of DHCD funds is responsible for the implementation of the lead-safe housing requirements defined below.

The Addendum is structured in two parts: Requested Information – to be provided as a part of responding to this RFP; and Requirements – to identify the requirements that the potential Borrower will be responsible for if the proposal is selected for underwriting.

REQUESTED INFORMATION

6. How old is the property? _____
7. Is there a known presence of Lead-Based Paint (LBP)? Y/N____
8. If the presence of lead is known, has it been disclosed to the tenants if the property was occupied at the time the presence of lead was determined? Y/N____
9. If disclosure has taken place, provide a copy of evidence of disclosure.
10. How was the presence of LBP determined? _____

9. What documentation exists that identifies the presence of LBP (e.g., Phase 1 environmental, lead survey, lead inspection, etc.) _____

10. Has a risk assessment been performed? Y/N____ If yes, please provide a copy with proposal.
11. Are LBP hazards present (peeling, chipped or cracked LBP)? Y/N____
12. Is the building occupied? Y/N____
13. Are there children under 6 residing at the property? Y/N____
14. Has there been previous testing of children residing at the property? Y/N

REQUIREMENTS

The requirements presented below are based on (HUD) 24 CFR 35, Subpart J - Rehabilitation. Where there is an additional or greater requirement of the District, it will be so stated. Borrowers need to be very familiar with both Federal and District lead laws and regulations.

II. Requirements Summary

The goal of the requirements is to be lead-safe, not lead-free. The most important requirements are summarized below. A summary of the HUD 24 CFR 35, Subpart J – Rehabilitation – is presented in Attachment (1). DHCD requirements are the same as 24 CFR 35 except as noted.

1. HUD requirements are tied to levels of assistance. The HUD 24 CFR 35 establishes different lead-based paint (LBP) requirements for rehabilitation, depending on the level of Federal assistance to the project. The thresholds are up to \$5,000 per unit; \$5,001 to \$25,000 per unit; and greater than \$25,000 per unit. This is amplified in Attachment (1). These thresholds are for hard costs, and do not apply to soft or lead hazard reduction costs. **[Requirements for locally¹ funded projects are the same as for the Federal funding level of \$5,000-\$25,000. These requirements focus on interim controls to treat LBP hazards].** Attachment (1) provides a general comparison between HUD and DHCD requirements.
2. Disclosure. Requirements of the Disclosure Rule have been in effect since 1996 - <http://www.hud.gov/offices/lead/disclosurerule/index.cfm> . This requires that landlords and/or property managers disclose any known lead-based paint and lead-based paint hazards when renting a unit. A sample disclosure form is contained in **Appendix B**. As part of disclosure, the tenants must be given a copy of the pamphlet “Protect Your Family from Lead in Your Home” - <http://www.hud.gov/offices/lead/>. Tenants are also to receive a copy of the pamphlet at the beginning of any rehab job, unless the pamphlet has previously been provided to the tenants.
3. A Risk Assessment, performed by a certified risk assessor, is required for all Multi-Family Rehab projects. It is due prior to the Final Application. Paint testing - to determine the presence of LBP in all surfaces to be disturbed - is required as part of the Risk Assessment. A presumption of lead will not be accepted. (Phase 1 environmental testing and hazmat surveys are not acceptable, as they do not meet the requirements of 24 CFR 35). Risk assessments will identify LBP hazards and include options to treat the hazards.
4. Notification. There are several required notices to be provided to tenants:
 - a. A Notice of Evaluation describing the nature, scope and results of the Risk Assessment;
 - b. A Notice of Hazard Reduction Activities must be provided to the tenants to inform them of the nature, scope and results (including clearance) of the completed lead hazard reduction scope of work; and
 - c. Notices for on-going maintenance as may be required by 24 CFR 35.

¹ Locally funded: not assisted with Federal housing funds (HUD, EPA, and Agriculture).

Attachment (1): Summary of the HUD 24 CFR 35, Subpart J – Rehabilitation

5. Testing of children. Upon receipt of the Risk Assessment, the D.C. Department of Health (DOH) will request the testing of all children under six (6). Units with children who may test for certain elevated blood levels (EBLs) will be inspected by DOH. If the unit is determined to be the cause of the child's EBLs, the owner will be issued a Notice of Violation. DHCD will not commit to funding a project (execute a Letter of Commitment) until the owner agrees to cure the violation.
6. Temporary safe housing for tenants is typically required during the lead hazard reduction activity for occupant protection - with some exceptions. See Section VI.
7.
 - a. "Certified workers, certified supervisors, and certified business entities" are required for all work that is designed to permanently eliminate LBP hazards², and for projects receiving over \$25,000 in federal assistance per unit.
 - b. "Trained workers"³ are required for all other work impacting an LBP surface (all work that is not designed³ to permanently eliminate LBP hazards) in any project that is:
 1. Receiving up to \$25,000 of federal assistance per unit; or
 2. Locally funded by DHCD regardless of amount.
8. Safe work practices as specified in 24 CFR 35 must be used by contractors/workers whenever they will disturb a surface with LBP.
9. Units must pass clearance testing before reoccupancy. DHCD requires that the clearance report submitted to DOH for verification, and that a Certificate of Lead-Based Paint Compliance be obtained.
10. Ongoing LBP maintenance (corrective measures to treat LBP hazards, using trained workers and required documentation) and reevaluation are required for HOME-funded rental projects. For locally funded projects, and projects funded with CDBG, DHCD requires the same ongoing maintenance as 24 CFR 35 where there is a defined affordability period. DHCD requires a visual assessment for deteriorated paint and the failure of hazard reduction measures at unit turnover and every 12 months over the affordability period. All deteriorated lead-based paint must be stabilized, and failed hazard reduction methods corrected with interim controls, or permanent controls if originally required. Trained or certified workers must use safe work practices and the unit(s) must pass clearance. DHCD does not require re-evaluation for these programs.

² Work designed to permanently eliminate LBP hazards: All permanent control work items (removal, replacement, encapsulation or enclosure) resulting from changes or additions to the rehab scope of work, based on an agreement on the implementation of the risk assessment by the developer and the risk assessor. The agreement is to be founded on reasonable accommodation by both the developer and the risk assessor/project designer, and will be reviewed by DHCD.

³ Exemption: DHCD will sign off on the DOH required exemption with the developer for work that is not designed to permanently eliminate LBP hazards.

Maintenance records per 24 CFR 35 must be retained by the landlord for all properties containing LBP.

11. Homeownership. For condominiums and cooperatives, **all** units will be paint tested, risk assessed, and cleared.

III. Exemptions

The following are exempt from this Requirements Exhibit; see 24 CFR 35 for a complete list of exempt properties:

1. Housing built after January 1, 1978
2. Housing for the elderly or persons with disabilities unless a child under six resides, is expected to reside, or regularly visits
3. Any zero bedroom unit, such as an efficiency or a single-room occupancy unit
4. Lead-free properties

IV. Conditions Precedent to Closing

The following documentation, presented below, will be completed and submitted to the DHCD Project Manager as conditions precedent to closing that will be required in the Letter of Commitment. **The first two are due with the Preliminary Application if the presence of lead is known, and the property is occupied.** Items 3, 4 and 5 are due with the Final Application after selection for underwriting. Items 6 and 7 are due prior to closing.

1. Disclosure: Evidence that disclosure has been made to residents if the building is occupied and LBP is present.
2. Evidence that the owner/manager has provided tenants a copy of the pamphlet “Protect Your Family from Lead in Your Home”.
3. Risk Assessment
4. Notice of Lead Hazard Evaluation (risk assessment) provided to tenants following the risk assessment – if the building is occupied.
5. “Selected Lead Hazard Reduction Options for Project Scope of Work”
6. **Occupant Protection Plan.**
7. **Temporary Safe Housing Plan, and notice(s) required to date.**

V. Occupant Protection and Temporary Safe Housing

Safe work practices [24 CFR 35 (Subpart R, §35.1350)] require occupant protection (§35.1345). This means that occupants and their belongings must be protected from lead contamination during rehabilitation. The most effective way to protect occupants is by temporarily relocating them while the work is underway.

An Occupant Protection Plan (ref. 24 CFR 35.1325 and EPA 40 CFR 745) is required:

- 1. Projects with Federal funding greater than \$25,000 per unit; and**
- 2. All District funded projects. The Plan will identify work-site protection measures and management procedures, including protection of household belongings. The Plan must identify procedures to allow tenants access to their belongings – through “reasonable accommodation” – during the period of temporary safe housing. The Plan must be submitted to the DHCD Project Manager for approval.**

Temporary relocation is not required if the Borrower can meet the five calendar day exception criteria⁴ (ten days for District funded projects for householders without children under six) for completion of lead hazard reduction in a given unit with end of workday cleanup. Also, the elderly will have an exemption as defined in 24 CFR 35.

The Borrower may look for ways to temporarily relocate families from one unit to another while work is underway. Temporary relocation as part of normal, planned rehab phasing may obviate the need for any relocation for lead purposes only.

If families must temporarily move out of the building, the following apply:

- Referrals. Families must be referred to lead-safe units for federally funded projects. This may mean hotels or motels built in 1978 or later, if other lead-safe units are not available. For locally funded projects, lead-safe referrals are not required for households with children six (6) or older. However, a visual assessment shall be performed (a risk assessment is not required), interim controls applied if needed, and cleaning and clearance testing completed if hazard reduction work is to be done and/or a child under six is part of the move.**
- Requirements of Chapter 2-4 (Appendix B) of the HUD Relocation Handbook 1378⁵ shall apply to all temporary moves, including notices.**
- Stipend. The Borrower will pay a stipend to households that are temporarily relocated to cover out of pocket costs associated with the move, including moving expenses and increased housing expenses (including rent differential for the duration of the temporary move).**
- Tenants’ belongings must be protected as long as the belongings remain in the unit from which the tenants are temporarily relocated.**

⁴ 24 CFR 35.1345(a)(2)(iv).

⁵ HUD Handbook 1378: Tenant Assistance Relocation and Real Property Acquisition

- A Temporary Safe Housing Plan is required regardless of whether it is Federally or locally funded. The content of the plan will include the following:
 1. **Number of units occupied and names of heads of household.**
 2. **Number of units with children under six, and a list of the children's names.**
 3. **Procedures to address the requirements of Appendix B.**
 4. **Schedule, including length of temporary move and phasing of lead-related work.**
 5. **Cost Estimates**
-

PROJECT MONITORING

Monitoring is the way that the District of Columbia's Department of Housing and Community Development (DHCD) ensures that its funded projects are carried out in accordance with local and Federal funding source program requirements. The program funds that will be available in this NOFA offering are the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program funds, HUD's HOME program funds and the District of Columbia's Housing Production Trust Funds (HPTF) and the Low Income Housing Tax Credit (LIHTC) program funds. (LIHTC rules and requirements are provided in a separate document. DHCD must ensure that property owners and managers develop their projects in compliance with HOME and other Federal standards. The monitoring requirements outlined below ensure that all residential projects are constructed in compliance with the appropriate new construction and rehabilitation standards as well as the approved project plans, built in compliance with Federal regulations such as Davis Bacon labor standards, the Uniform Relocation Act, and environmental protection statutes, and marketed in compliance with fair housing laws including Section 504 of the Rehabilitation Act.

Residential Projects

DHCD has determined that it will apply the federal laws and regulations to all projects and the more restrictive HOME monitoring requirements, where appropriate, because the application of the HOME requirements will allow for the maximum yield of low-moderate homeowners and renters and a longer affordability period for all units.

Initial Monitoring

Effective monitoring begins in the planning stages of the project and continues after the project funds have been expended and the project is completed. Successful property owners and managers will have to take into consideration the following items in the planning stages of the project as these requirements impact on the construction/rehabilitation cost and the income flow of the project:

Income Requirement – Twenty percent (20%) or more of the units in the development may be subject to income restrictions which will require the units to be marketed to persons or households earning between 0% - 80% of the Area Median Income (AMI).

Rental and Occupancy Requirements - Will dictate the rent structure for targeted units and the occupancy requirements for each type of unit, i.e., efficiency, 1-bedroom, etc.

Unit Reservation or Set-Aside Requirement – DHCD policy will require that a minimum of 20% of all available units or the number of units equal to the percentage of DHCD funding to the overall development costs of the project (whichever is greater) be set aside for low to moderate income persons and families as follows:

- For developments of 5 or less units – no reservation required

- For developments of 5 or more units – 20% of the units shall be reserved to persons or families in the 50% or less AMI. The remaining units shall be reserved for persons or families earning from 51% to 80% of AMI.

Affordability and Retention Requirements – The type of funding received by the project will determine the period of time the program-designated units will be subject to the income, rental/occupancy and unit reservation requirements.

The property owner, manager or developer must commit to ensuring that the income and rental requirements for each program-designated unit is maintained throughout a minimum 20-year retention period or the length of the loan, whichever is greater. Where there are specific program requirements (HOME/HPTF) for affordability and retention, DHCD will use whichever regulation provides for the maximum affordability period.

Section 504 Requirement – that 5% of the newly constructed or “substantially” rehabilitated units accommodate persons with mobility impairment and that an additional 2% of said units accommodate persons with vision and hearing impairments.

Lead-Based Paint Requirements – Are applicable to all rehabilitation and renovation projects. Property owners and managers must ensure that there are no existing lead hazards prior to construction. If there are existing lead hazards, then property owners and managers must take the appropriate methods and measures to ensure containment or removal of the hazard prior to completion of construction.

The Lead-Based paint information is contained in a separate document.

Long-Term Monitoring

The long-term review and monitoring of projects will occur annually for the duration of the affordability period in the following areas:

- **Income targeting/occupancy and rent controls.** Long-term monitoring is an important way to ensure that rental units assisted with its funds remain occupied by low-income households and that the rents charged to these tenants are affordable. Sustaining long-term affordability of units is particularly important in tight housing markets, with high housing costs.
- **Init condition.** DHCD expects that when it invests its funds in a property, the property will remain in decent, standard condition for a period of time. This is important to ensure health and safety of the tenants, important for promoting neighborhood revitalization efforts, and important for protecting the city’s financial investment. Inspections are one way to ensure that owners and managers are adequately maintaining their properties.
- **Equal treatment of all applicants** DHCD expects that all applicants will be treated fairly and without discrimination. Monitoring helps ensure that the city’s investment in affordable housing is available to all applicants irrespective of race, color, sex, age, religion, ethnic background, disability, or familial status.

MONITORING RENTAL AND HOMEOWNERSHIP PROJECTS

Homeownership Projects

Property owners or developers who receive loans or grants under the above-mentioned funding programs, to construct or renovate a residential unit(s), must commit to ensuring that the property is acquired by a low-moderate income household with an AMI of <80% and that the property is retained for low-moderate income owners throughout the affordability period.

The length of time of the affordability period is determined by the regulations of the funding source or by the length of the loan, whichever is greater. Failure to ensure the continuity of the income requirements for the ownership of the program-funded unit(s) will result in a default of the loan or grant agreement and the immediate repayment of the loan or grant.

Attached as **Exhibit Z-1 to Z-3** are the reporting and certification forms which will be used to initiate and continue the annual monitoring review of homeownership projects.

Rental Projects

Property owners and managers will implement the day-to-day operations of the rental property and make daily decisions that affect compliance of the project with the requisite program funding rules. Some property owners and managers will carry out these functions themselves; others will utilize property managers and property management firms.

Property owners and managers' monitoring responsibilities include, but are not necessarily limited to:

- Making sure the property meets and is continually maintained according to required building code standards, performs financially and;
- Ensuring that project personnel understand and implement program rules related to income, occupancy, affirmative marketing, and fair housing;
- Submitting annual reports and other documentation that may be requested by DHCD that document compliance with the program rules;
- Identifying and making available files requested by the OPM Monitor;
- Providing notice to, and making arrangements with, tenants whose units will be inspected; and
- Following up on any corrective actions that may be identified by the OPM Monitor.

Attached as **Exhibit Z-4 to Z-6** are the reporting and certification forms which will be used to initiate and continue the annual monitoring review of rental projects.

Monitoring CDBG Service Projects

CDBG funds are provided for service and community development projects as well as for residential projects. The underlying purpose for the application of CDBG funds is to ensure the projects funded thereby continually inure to the benefit of low to moderate persons and families.

DHCD has developed a reporting form to be completed by CDBG property owners and managers annually and submitted to DHCD staff. See **Exhibit Z-7** attached. Accompanying the reporting form is a suggested survey form that property owners and managers may use to collect from their individual program users the requisite information required by the report. See **Exhibit Z-8** attached.

Compliance with Federal Laws, Rules and Regulations

DHCD requires property owners and managers to certify that they will comply with the applicable federal standards that accompany DHCD's local and federal funding. Attached as **Exhibit Z-9** is the certification of compliance for all the applicable federal standards, which includes citations thereto. These certifications must be appropriately executed and submitted with the application. DHCD will regularly review and monitor compliance with these federal standards.

Also attached as **Exhibit Z-10** is the certification form for compliance with Section 504 of the Rehabilitation Act of 1973. All new construction and substantial rehabilitation projects must conform to the requirements of Section 504.

The **Exhibits** referred to above are the reporting and certification forms, which must accompany your submission package. Choose the appropriate form based upon the program funds you are requesting, [CDBG, HOME, HPTF] and the type of project contemplated, [ownership interests (fee simple, condominium, cooperative, etc.), rental, a public or community service project.] Upon receipt, these forms and certification documents will be the basis upon which monitoring activities will be implemented and reviewed annually.

The Project Manager assigned to each project will inform the property owners and managers of their responsibilities prior to loan closing, and then again at the time of the Final Draw.

Please refer to the Exhibit Checklist packages and the Request For Proposal Reference Guidebook for further information.

HOME Occupancy/Ownership Reporting Form and Certification

HOME Ownership Project Compliance Report - Period From: _____ To: _____
(To be submitted by property manager)

Project: _____

Address: _____

Date

Submitted: _____

Affordability Period (year) # _____ of a _____
Affordability Period

Total number of units in project: _____

Total number of HOME units: _____

Number and Percentage of Set-aside units

_____ % _____

Number of Fixed Units: _____ Number of

Floating Units: _____

Number of Section 504 units: _____

Unit #	# bed-rooms	Fixed or Floating	Owner name	# in Hshld	Annual Income	Date of Purchase	Area median Income %	Sale date	Sale Price	Section 504 Designation ("Yes" or "No")			Comments

Attach additional sheets as needed.

I certify the above information is true and correct.

Owner or property manager signature: _____ Date: _____

PJ reviewer: _____ Date reviewed: _____

HOME Occupancy and Rent Reporting Form and Certification

Home Rental Project Compliance Report

(To be submitted by property manager)

Project: _____

Address: _____

Date Submitted: _____

**Affordability Period (year) # _____ of a
_____ (year) Affordability Period**

Total number of units in project: _____

Total number HOME units: _____

Number and percentage of Set-aside Units # _____
% _____

Number of Low HOME Rent units: _____

Number of High HOME Rent units: _____

Number of Fixed Units: _____ Number of Floating Units: _____

Number of Section 504 designated units: _____

[illegible]

Attach additional sheets as needed. I certify the above information is true and correct.

Owner or property manager signature: _____ Date: _____ PJ

reviewer: _____ Date reviewed: _____

¹ Including any owner-paid utilities.

² If tenant pays utilities, enter from PHA utility allowance worksheet. If utilities are included in rent, enter "Incl."

³ Enter from HUD published limits for High or Low HOME Rent as applicable.

HPTF Occupancy and Rent Reporting Form and Certification

HPTF Rental Project Compliance Report - Period From: _____ To: _____

(To be submitted by property manager)

Project: _____

Total Percentage of units in project: _____

Address: _____

Total Number of HPTF units:_____

Date Submitted: _____

Number of Low HPTF Rent units: _____

**Affordability Period (year) # ____ of a
____ Affordability Period**

Number of High HPTF Rent units: _____

Number of Fixed Units: _____ Number of Floating
Units: _____

Number of Section 504 units: _____

[illegible]

Attach additional sheets as needed.

I certify the above information is true and correct. Owner or property manager signature: _____

Date: _____

PJ reviewer: _____

Date reviewed: _____

¹ Including any owner-paid utilities.

² If tenant pays utilities, enter from PHA utility allowance worksheet. If utilities are included in rent, enter "Incl."

³ Enter from HUD published limits for High or Low HOME Rent as applicable.

HPTF Occupancy/Ownership Reporting Form and Certification

HPTF Ownership Project Compliance Report - Period From: _____ To: _____

(To be submitted by property manager)

Project: _____

Total Percentage of units in project:

Address: _____

Total Number of HPTF units:_____

Date Submitted: _____

Number of Section 504 units: _____

Affordability Period (year) # ____ of a ____

Affordability Period

[illegible]

Attach additional sheets as needed.

I certify the above information is true and correct. Owner or property manager signature:

Date: _____

PJ reviewer:_____

Date reviewed: _____

CDBG Occupancy and Rent Reporting Form and Certification

CDBG Rental Project Compliance Report

(To be submitted by property manager)

Project: _____

Address: _____

Date Submitted: _____

**Affordability Period (year) # _____ of a
_____ (year) Affordability Period**

Total number of units in project: _____

Total number CDBG units: _____

Number and percentage of Set-aside Units # _____
% _____

Number of Low CDBG Rent units: _____

Number of High CDBG Rent units: _____

Number of Fixed Units: _____ Number of Floating Units: _____

Number of Section 504 designated units: _____

[illegible]

Attach additional sheets as needed. I certify the above information is true and correct.

Owner or property manager signature: _____ Date: _____ PJ

reviewer: _____ Date reviewed: _____

¹ Including any owner-paid utilities.

² If tenant pays utilities, enter from PHA utility allowance worksheet. If utilities are included in rent, enter "Incl."

³ Enter from HUD published limits for High or Low HOME Rent as applicable.

CDBG Occupancy/Ownership Reporting Form and Certification

CDBG Ownership Project Compliance Report - Period From: _____ To: _____

(To be submitted by property manager)

Project: _____

Total Percentage of units in project:

Address: _____

Total Number of CDBG units:_____

Date Submitted: _____

Number of Section 504 units: _____

Affordability Period (year) # ____ of a ____

Affordability Period

[illegible]

Attach additional sheets as needed.

I certify the above information is true and correct. Owner or property manager signature:

Date: _____

PJ reviewer: _____

Date reviewed:_____

**COMMUNITY DEVELOPMENT BLOCK GRANT
ANNUAL BENEFICIARY REPORTING FORM
AND
CLIENT/BENEFICIARY SURVEY**

Name of Developer: _____ Date: _____

Address of Developer: _____

Phone Number: _____

Name of Project: _____ Amount of Funding: _____

Address of Project: _____ LMA: * _____

Phone Number: _____

Contact Person: _____

QUESTIONS

JOB CREATION – ECONOMIC DEVELOPMENT

Low to Moderate Income Area? ____ Yes ____ No

1. # of jobs currently utilized by the project:

Non-Construction

Full-time Employees (FTE)? _____

of L/M FTE? _____

Part-time Employees (PTE)? _____

of L/M PTE? _____

2. # of jobs to be created by the project:

Construction

Full-time Employees (FTE)? _____

of L/M FTE? _____

Part-time Employees (PTE)? _____

of L/M PTE? _____

Non-Construction

Full-time Employees (FTE)? _____

of L/M FTE? _____

Part-time Employees (PTE)? _____

of L/M PTE? _____

3. Total Percentage of Low/Moderate jobs created by the project. _____

* To be filled out by Department or Agency

**COMMUNITY DEVELOPMENT BLOCK GRANT
ANNUAL BENEFICIARY REPORTING FORM
AND CLIENT/BENEFICIARY SURVEY, contd.**

HOUSING

1. Total # of Housing units:
 - a. To developed or renovated. _____.
 - b. Developed or renovated. _____.
2. Total # of units currently occupied. _____.
3. Total # of Low/Moderate Income housing units for this project? _____.

BENEFICIARIES

1. Number of Low/Moderate income persons served by the project?
 - a. Individual persons _____
 - b. Heads of Households _____
 - c. Female Heads of Households _____
2. Race/Ethnicity of persons served by this project?

WHT _____	HI/PCF _____
WHT/HSP _____	HI/PCF/HSP _____
BLK _____	IN/WHT _____
BLK/HSP _____	IN/WHT/HSP _____
ANS _____	ASN/WHT _____
ASN/HSP _____	ASN/WHT/HSP _____
HSP _____	BLK/WHT _____
HSP/ETHNC _____	BLK/WHT/HSP _____
ANS/HSP _____	IN/BLK _____
AMR/AK _____	O/MULT _____
AMR/AK/HSP _____	O/MUL/HSP _____
3. Number of beneficiaries served in the income ranges below:
(Check more than one, if applicable)

\$0 - \$30,000 _____	_____
\$31,000 - \$60,000 _____	_____
\$61,000 - \$90,000 _____	_____
\$91,000 - \$120,000 _____	_____

DHCD/CDBG CLIENT/BENEFICIARY SERVICE SURVEY

FORM

Client Number _____

Male _____ Female _____

1. Check the quadrant of the city in which you currently live. 2. In which Ward do you live? Ward _____

_____ N.W.

_____ S.W.

_____ N.E.

_____ S.E.

3. How often do you use these services?

_____ Once only

_____ Periodically

_____ Often

4. Status

Single _____ Number of members in household _____

Married _____ Number of members in household _____

5. Race/Ethnicity

WHT _____
WHT/HSP _____
BLK _____
BLK/HSP _____
ANS _____
ASN/HSP _____
HSP _____
HSP/ETHNC _____
ANS/HSP _____
AMR/AK _____
AMR/AK/HSP _____

HI/PCF _____
HI/PCF/HSP _____
IN/WHT _____
IN/WHT/HSP _____
ASN/WHT _____
ASN/WHT/HSP _____
BLK/WHT _____
BLK/WHT/HSP _____
IN/BLK _____
O/MULT _____
O/MUL/HSP _____

6. Salary Range

\$0 - \$20,000 _____ \$21,000 - \$30,000 _____ \$31,000 - \$40,000 _____ \$41,000 - \$50,000 _____
\$51,000 - \$60,000 _____ \$61,000 - \$70,000 _____ \$71,000 - \$80,000 _____ \$81,000 - \$90,000 _____

DHCD- BENE. FORM